



Standards for Accreditation of Oklahoma Schools

2014-2015

Joy Hofmeister

State Superintendent of Public Instruction
Oklahoma State Department of Education

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Oklahoma State Department of Education

The Mission
of the
Accreditation/Standards Division
of the
Oklahoma State Department of
Education

Service

To increase
student learning and achievement.

Leadership

To promote
the improvement of the common
schools of Oklahoma.

Regulation

To maintain
necessary standards.

2014-2015 Standards for Accreditation of Oklahoma Schools

NOTES

1. **Index** - A cross-referenced subject index to assist the reader follows Part III.
2. **Building site** standards are denoted in the right margin as follows:
 - ◀ **G** **General** applies to all schools
 - ◀ **E** **Elementary** applies to Early Childhood (EC), Pre-Kindergarten (PK) - Grade 8
 - ◀ **M** **Middle Level** applies to Grades 6-8 or 9
 - ◀ **S** **Secondary** applies to Grades 6-12
 - ◀ **C** **Career and Technology** applies to comprehensive high schools and Technology Centers
3. **Coding** - standard breakdown as follows:
Example OAC 210:35-3-1...**(01)**
 - OAC denotes Oklahoma Administrative Code
 - 210 denotes Oklahoma State Department of Education
 - 35 denotes Chapter 35 (i.e., Accreditation Division)
 - 3 denotes Standards for Elementary, Middle, Secondary, and Technology Centers
 - 1 denotes General provisions of the standard
 - (01)** denotes Most current year enacted or amended
4. **Special Education** - Special Education and related services, as required by the Individuals with Disabilities Education Act (IDEA), shall be provided in accordance with the most current *Policies and Procedures for Special Education in Oklahoma*.
5. **Certification** - Certificates and licenses required for staff shall be in compliance with the current *Certification Guide for School Staff Assignments*.
6. **Italics** - Passages in *italics* are quotations from cited statutes.
7. **Administrative and Statutory Codes** cited in this document are for reference only and are not represented as being verbatim. Per provision of statute, only those rules as maintained by the Office of Administrative Rules in the Oklahoma Administrative Code are official.

2014-2015 Standards for Accreditation of Oklahoma Schools

TABLE OF CONTENTS

PART I

Standards for Accreditation of Schools and Technology Centers

STANDARD I: Philosophy (and/or Mission) and Goals.....	11
STANDARD II: School-Community Relationships.....	14
STANDARD III: Administration and Organization.....	16
STANDARD IV: Curriculum, Instruction, Assessment, Climate.....	49
STANDARD V: The School Staff.....	85
STANDARD VI: Student Services.....	105
STANDARD VII: The Media Program.....	113
STANDARD VIII: Student Activities Program.....	122
STANDARD IX: Financial Support.....	125
STANDARD X: School Facilities.....	133
STANDARD XI: Accreditation Status.....	142
STANDARD XII: Deregulation—Rules and Procedures.....	144

PART II

Standards for Accreditation of Technology Centers

STANDARD I: Mission, Vision, and Goals.....	153
STANDARD II: School-Community Relationships.....	155
STANDARD III: Organization, Administration, and Program Operations.....	157
STANDARD IV: Instructional Program.....	163
STANDARD V: The School Staff.....	168
STANDARD VI: Student Services.....	172
STANDARD VII: <i>Career</i> Tech Student Organizations.....	175
STANDARD VIII: Financial Support.....	177
STANDARD IX: Technology Center Facilities, Equipment, and Supplies.....	178

2014-2015 Standards for Accreditation of Oklahoma Schools

Part III

Rules of the State Board of Education

<u>Administration & Organization</u>	183
AIDS: Guidelines for Student Educational Program.....	184
Advisory Councils: Establishment and Duties.....	184
Alternative Education Academies and Programs.....	185
Annexation, Consolidation, and Dispensation.....	186
Capital Improvement.....	192
Computer Assisted Pupil Accounting.....	193
Early Childhood Pilot Education Programs.....	194
Educational Services in Day Treatment Programs.....	195
Educational Services in Residential Treatment Programs.....	198
Family Educational Rights and Privacy Act (FERPA).....	202
Student Data Accessibility, Transparency, and Accountability Act.....	203
Open Records Act.....	206
Bullying.....	210
Nontraditional Instructional Delivery Systems.....	220
Supplemental Online Courses.....	222
Oklahoma Honor Societies.....	227
Private Accrediting Associations.....	228
Professional Development.....	231
Reading Sufficiency Act.....	234
Transportation.....	241
<u>Curriculum and Instruction</u>	253
AIDS: Prevention Education.....	254
Co-Curricular and Extracurricular Programs and Activities.....	255

2014-2015 Standards for Accreditation of Oklahoma Schools

Driver Education.....	256
Early Childhood Education Programs.....	258
Gifted and Talented Education Regulations and Program Approval Standards.....	259
Lifelong Learning.....	261
Middle School Mathematics Laboratories.....	265
Oklahoma Academic Scholar Recognition.....	266
Oklahoma Organ Donor Education and Awareness Program Act.....	266
Oklahoma School Accountability System.....	266
Proficiency Based Promotion.....	270
Reading Proficiency Act (8 th Grade).....	275
Student Assessment.....	276
Student Attendance.....	313
Student Entrance and Progression Through the System.....	314
Summer School Programs.....	315
<u>The School Staff</u>	318
General Teaching Certificate Requirements.....	319
Adjunct Teachers.....	320
Classroom Teacher Assistants.....	320
Teacher and Leader Effectiveness Evaluation System (TLE).....	321
First-Year Superintendents in Oklahoma Program.....	329
Mentor Teacher.....	330
National Board Certification.....	331
Teacher Certification: Teacher Education and Certification.....	332
Residency Program.....	339
Standards of Performance and Conduct for Teachers.....	343
Teacher Due Process Hearings.....	345

2014-2015 Standards for Accreditation of Oklahoma Schools

INDEX.....350

PART I

**Standards for Accreditation of
Oklahoma Schools and Technology Centers**

2014-2015 Standards for Accreditation of Oklahoma Schools

Key

Regulatory text is in plain text

Recently added regulatory text is underlined

Recently deleted regulatory text is in ~~strikeout~~

Statutory text is in italics

Recently added statutory text is italicized and underlined

Recently deleted statutory text is ~~italicized and in strikeout~~

ENFORCEMENT NOTES AND/OR LEGAL NOTES REGARDING INTERPRETATION OF TEXT IS SHOWN IN SMALL CAPS

STANDARD I

PHILOSOPHY (AND/OR MISSION) AND GOALS

In this standard:

- **WRITTEN STATEMENT OF SCHOOL'S PHILOSOPHY AND GOALS**
 - Reflects individual character of school
 - Developed with input from staff, parents, students
 - Consistent with state and district philosophies
 - Reflects understanding of abilities and learning requirements

- **EVALUATING ACHIEVEMENT OF GOALS**
 - Variety of information used to determine if goals are being achieved

- **ANNUALLY INFORMING THE COMMUNITY**
 - Parents/guardians and the community informed yearly of school's philosophy and goals

STANDARD I

PHILOSOPHY (AND/OR MISSION) AND GOALS



Oklahoma Administrative Code (OAC)¹ 210:35-3-1. Statement of the standard

Oklahoma schools have the responsibility of meeting the educational needs of all students, providing equitable educational opportunities, and fostering lifelong learning as they prepare to participate in a democratic society. In order to establish priorities, aid in decision making, and provide an effective basis for a comprehensive and continuous evaluation, each school site shall develop and maintain a written statement of the philosophy and goals to be served by educational programs that are based on the belief that all students can learn. The school's philosophy and goals must reflect consensus among the school site, the community, the local board, and the school staff. The educational programs shall address the academic, personal/social, and career/vocational development of students as they prepare for the future. **(92)**

OAC 210:35-3-6. Written statement of philosophy and goals

There shall be a written statement of philosophy and goals, which is the governing document for the school and its program, with provisions made for review and appropriate modification.

- (1) The statement shall be developed with appropriate participation by the school staff, parents, students, and community representatives.
- (2) The statement shall reflect the individual character of the school. It shall be in harmony with:
 - (A) the state's philosophy,
 - (B) the district's philosophy,
 - (C) the characteristics of its youth and adults, and
 - (D) the principles and spirit of American democracy.
- (3) The statement shall reflect an understanding of the abilities and learning requirements and provide an assurance that students have equitable opportunities to develop competencies in the basic skills and higher order thinking skills.
- (4) The statement shall contain priorities for the school's various responsibilities. Implementation of such priorities shall be evident in the educational program. **(92)**

OAC 210:35-3-7. Information to be utilized to determine achievement of goals

Information from a variety of sources shall be utilized to determine the extent to which the school's goals are being achieved. **(92)**

OAC 210:35-3-8. Objectives to be consistent with goals

The objectives identified for the elements of the educational program shall be consistent with the major goals of the school. **(92)**

¹ PLEASE NOTE: The Oklahoma Administrative Code is available online, but only permits linking to the front page. To view OAC material, click on the hyperlinked "OAC", then select "View Code" from the options at the left side of the screen. Select the appropriate Title (210 for State Department of Education), then chapter number and subchapter, until you have reached the desired code section.

2014-2015 Standards for Accreditation of Oklahoma Schools

OAC 210:35-3-9. Parents/guardians and community to be informed of philosophy and goals

Each year parents/guardians and the community shall be informed of the philosophy and goals of the school. **(92)**

STANDARD II

SCHOOL-COMMUNITY RELATIONSHIPS

In this standard:

- **MUTUAL TRUST**
 - School establishes relationships with parents and the community
 - Relationships based on open, two-way communication

- **OPPORTUNITIES FOR EXPRESSION**
 - School gives parents and others the chance to express concerns/suggestions

- **COMMUNICATION TO SCHOOL COMMUNITY**
 - School makes efforts to explain its mission, policies, and procedures
 - Planned communications program to utilize media and other means

STANDARD II

SCHOOL-COMMUNITY RELATIONSHIPS

OAC² 210:35-3-21. Statement of the standard

The school establishes relationships with its parents and community that result in a feeling of mutual trust. These relationships are based on open, two-way communication. Parents and the community are involved in developing and monitoring the school's expected outcomes. The school displays a willingness to respond to the parents and the community, and the community supports the school and its program. **(92)**

OAC 210:35-3-26. School to provide opportunities for school community expression

The school shall provide opportunities for both individual parents and for groups of parents and other members of the school community to express their desires, identify their concerns, ask questions, and make suggestions concerning the school and its program. **(92)**

OAC 210:35-3-27. School to communicate to school community

The school shall make systematic efforts to explain its mission, policies, procedures, needs, program, and status to the school community. Further, there shall be a planned communications program using a variety of media such as television, radio, newspaper, school publications, and other means to inform the school community about its schools. **(92)**



G

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STANDARD III

ADMINISTRATION AND ORGANIZATION

In this standard:

- **ADMINISTRATION**
 - Superintendent; Principal
- **SCHEDULING**
 - School calendar and school day; Length of term
 - Optional extended day schedule for grades 9-12
- **REPORTING**
 - School records
- **AUDITS**
 - Financial
 - Student attendance records; Enrollment; Entry, gain, and loss
 - Attendance and absence
 - School activities; Parent teacher conference days
 - Concurrent enrollment
 - Professional meeting day
 - Transportation
 - Authority for birth; Basis of admission
 - Career and technology center
 - Home-based program; Nongraded; Out of home placement
- **STUDENT RESIDENCY**
- **TRANSFERS**
 - Students with disabilities; Gifted and talented students
 - Parents who are teachers; Deployed parents; Sibling transfers
 - Emergency transfers
- **REQUIREMENTS FOR SCHOOL BOARD MEMBERS**
 - Candidacy; Notification; Contests of candidacy
 - New and incumbent board member training; Expenses
- **BOARDS OF EDUCATION**
 - Corporate structure; Delegation of responsibilities
 - Staff relationships; Prohibition on inquiring about parental status
 - Teacher contracts; Minimum salary schedule
 - No residency requirement for school employees
- **CAREERTECH COURSES**
 - High schools
 - Technology centers

STANDARD III

ADMINISTRATION AND ORGANIZATION

OAC³ 210:35-3-41. Statement of the standard

The school is organized to ensure the achievement of its goals. The working relationships among the local board, superintendent, principal, and staff are such as to facilitate the successful functioning of all phases of the school's program. The principal of the school has the autonomy and authority to provide the leadership needed to accomplish the goals of the school. The school is provided with sufficient professional and service personnel to ensure effective operation of all phases of the school's program. The school is organized in a manner that encourages new and innovative ideas designed to improve the program and to help the school adapt to changing conditions. **(92)**



OAC 210:35-3-46. Administrative and supervisory services

- (a) The school site shall be part of a system employing a full-time superintendent. *No board of a school district having average daily membership (ADM) of fewer than 500 students shall be prohibited from allowing a superintendent with the appropriate certificate to serve simultaneously as a principal.* [[70 O.S. § 5-106](#)] If a vacancy occurs in the superintendency during the course of the school year, a certified replacement must be employed within 45 school days.
- (b) It shall further be the responsibility of the local board, upon the recommendation of the superintendent, to employ an administrative head to be known as a principal for each of the schools within the district. Private schools shall employ a full-time principal/headmaster. An elementary district shall employ a full-time elementary superintendent. With the exception of requirements for certification, the term superintendent as used in these standards shall mean an elementary school superintendent, headmaster, or superintendent. Full-time is defined as employed full time, and therefore allows these administrators to teach.
- (c) Instructional leadership shall be the chief function of the school's principal. The principal shall be responsible for the improvement of instruction and be given the authority and resources needed to accomplish this goal. The principal shall help clarify the goals of the school, help obtain resources for it, coordinate its various activities, and promote its continuous evaluation to determine improvements needed.
- (d) Lines of administrative and supervisory authority between the central office staff and the principal shall be defined clearly and shall give the principal responsibility for initiating appropriate changes to meet the needs of the students.
- (e) The principal shall be involved in the selection, assessment, evaluation, retention, and promotion of all personnel assigned to the school.

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2014-2015 Standards for Accreditation of Oklahoma Schools

- (1) *All certified administrative personnel designated by a local board to conduct evaluations shall be required to participate in training conducted by the State Department of Education prior to evaluating. [70 O.S. § 6-101.10]*
- (2) *No teacher shall be dismissed during the term of a contract or refused reemployment except at an official meeting of the board of education. The reemployment or dismissal of teachers shall be in accordance with the school laws of Oklahoma. [70 O.S. § 6-101.20, 6-101.21, 6-101.22, 6-101.23, 6-101.24, 6-101.25, 6-101.26, 6-101.28, 6-101.29, 6-101.30]*
- (f) While working with faculty, staff, or students in the school, central office and other supplementary personnel shall coordinate their activities through the principal.
- (g) The principal shall have the responsibility and the authority for the administration of the non-instructional programs in the school.
- (h) The local board shall adopt a school calendar and school day consistent with statutory requirements in Oklahoma.
 - (1) *The standard school year shall consist of not less than 180 days; or,*
 - (2) *For not less than one thousand eighty (1080) hours each school year, if a district board of education adopts a school-hours policy and notifies the State Board of Education prior to September 15 of the applicable school year.*
 - (3) *A school district may not count more than thirty (30) hours each school year that are used for attendance of professional meetings toward the one hundred eighty (180) days or one thousand eighty (1,080) hours of classroom instruction time required in subsection A of this section. [70 O.S. § 1-109B] Teachers off contract with an employing district shall not be required by the employing school district to attend professional meetings unless the teacher is paid additional compensation for the additional time. Subject to district board of education policy or collective bargaining agreement, additional paid professional leave days may be granted for individual teachers to attend or participate in professional meetings, staff development training, or National Board certification portfolio development as provided for in Section 6-204.2 of this title. [70 O.S. § 1-109C]*
 - (4) *The standard school day shall consist of not less than 6 hours devoted to school activities, exclusive of lunch, with the exception of nursery, early childhood education kindergarten, and alternative education. [70 O.S. § 1-111]*
 - (5) *The early childhood school day shall consist of not less than two and one-half hours per session.*
 - (6) *The kindergarten school day shall consist of not less than two and one-half hours per day. The requirement to attend kindergarten may be satisfied by attendance in either a half-day or full-day program. Membership in a kindergarten for either two and one-half (2 1/2) hours or six (6) hours per school day shall be counted as one (1) day for average daily membership purposes. *Beginning with the 2011-2012 2013-2014 school year, it shall be the duty of every school district in this state to provide and offer a full six-hour day of kindergarten free of tuition for every child residing in the district who attains the age of five (5) years on or before the first day of September during the school year kindergarten is offered, provided that this duty may be satisfied by intra-district transfer to a school offering full-day kindergarten, by transferring kindergarten children to other school districts which will accept them**

2014-2015 Standards for Accreditation of Oklahoma Schools

and can provide kindergarten for such children, or by contracting for classroom space with a licensed public or licensed private child care provider based on the selection criteria established by the district. [70 O.S. § 18-108]

- (7) A school district board of education may adopt and implement an extended day schedule for grades nine through twelve. All of the following conditions must be met:
- (A) The annual number of hours of instruction must equal or exceed 1,080 hours which is equivalent to 180 days of instruction.
 - (B) Only one day per week shall consist of not less than five hours of academic instruction in a regular classroom setting.
 - (C) The district must hold a public hearing prior to the adoption of an extended day schedule.
 - (D) The district must document the impact on student achievement as determined by the academic performance index score and any other relevant factors that are a result of the implementation of an extended day schedule.
 - (E) The district must provide an annual report to the State Board of Education on the result of the extended day schedule and the impact on student achievement. [\[70 O.S. § 1-109\]](#)
- (i) If, because of emergency situations, school has been missed more than fifteen (15) days, the State Board of Education will consider forgiving a portion of those days or in rare instances all days missed, on a case-by-case basis. Exceptions to the fifteen (15) day minimum will be made at the recommendation of the State Superintendent and forgiveness will be considered by the State Board of Education on a case-by-case basis.
- (j) If a school district determines that it is necessary to deviate from the required 6-hour school day because of severe weather conditions or fire, the superintendent should report this, in writing, to the State Department of Education, Accreditation Section, within 72 hours. Any loss of school time shall require the superintendent to report the amount of time lost and the procedures to be used to make up the lost time.
- (k) *Schools shall obtain permission from the State Board of Education before conducting Saturday classes to complete a standard school term including professional days. [70 O.S. § 1-112]*

(11)

OAC 210:10-1-4. Length of term

- (a) The minimum length of term will be ten (10) months (180 days actually taught). Provided not to exceed five (5) days of 180 days required may be used for attendance of professional meetings. Where professional days are taken, they shall be so recorded in the register of attendance in a like manner as holidays are recorded. The legal aggregate days attendance will be divided by days actually taught to obtain the legal average daily attendance. Any school district holding less than a full term will have its state aid reduced proportionately. No district may have less than a full term of school unless conditions over which it has no control exist that would prevent the district holding a full term. In cases where sites within a district have different length terms the average daily membership (ADM) and average daily attendance (ADA) shall be calculated for each site separately.

2014-2015 Standards for Accreditation of Oklahoma Schools

OAC 210:35-3-47. School reports and records

Well delineated policies and procedures for records and reports shall be developed and kept current.

- (1) Records and reports needed for effective planning, operation, evaluation, and reporting shall be kept relative to the following components of the educational program:
 - (A) Administrative operations
 - (B) Curriculum
 - (C) Guidance
 - (D) Health services
 - (E) Instructional supplies
 - (F) Media services
 - (G) School plant
 - (H) Staff
 - (I) Student activities
 - (J) Student personnel
- (2) The permanent record of the student shall be current and filed in the superintendent's or principal's office. Standardized test results, student's school activities, attendance and citizenship dates shall be included as a part of the permanent records. Proper safeguards shall be taken with these records to protect the confidentiality of individuals and the human rights of all students. Health and immunization records should be kept separately.
- (3) One person in each school shall be responsible for all personally identifiable information to assure that no unauthorized person will be able to obtain the information without written parental permission.
- (4) Students shall be officially enrolled upon receipt of their immunization records as required by law and transcripts or grade cards. Information pertaining to grades, graduation tests, college admission tests, rank in class of graduating seniors, and other pertinent information shall be recorded on the transcript.
- (5) *Principals shall furnish transcripts and immunization records of students within three business days when requested to do so by school officials. [70 O.S. § 24-101.4] However, a local board of education may withhold a student's transcript or other records of the school relating to any school child who fails to return a textbook or make payment for the textbook if not returned. The term "transcript" includes any record of a grade or grades given to a student by a teacher. Local boards in their board policies shall include considerations for the inability to pay for a textbook and reasons for the non-return of the textbook. However, nothing herein shall be deemed to prevent any school child from actually receiving a grade that he is otherwise entitled to for completion of a course of study, from graduating upon completion of the requirements, or from obtaining any records or information supplied to the school or otherwise owned by the child. [70 O.S. § 16-121]*
- (6) School administrators shall be familiar with and assure compliance with state attendance laws.
- (7) *A school district shall excuse a student from attending school for the purpose of observing religious holy days if before the absence, the parent, guardian, or person*

2014-2015 Standards for Accreditation of Oklahoma Schools

having custody or control of the student submits a written request for the excused absence. The school district shall excuse a student for the days on which the religious holy days are observed and for the days on which the student must travel to and from the site where the student will observe the holy days. [70 O.S. § 10-105(B)(4)]

- (8) *A school district shall excuse a student from attending school for the purpose of participating in a military funeral honors ceremony upon approval of the school principal. [70 O.S. § 10-105(B)]*
- (9) Closing classroom work early for seniors for commencement or other activities is prohibited by the State Board of Education. Any school district which does not require students to attend school for the full term shall be in violation of the State Board of Education policy and shall be cited for the violation on the final accreditation report as presented for approval by the State Board of Education for the upcoming school year.
- (10) Classroom activities and instruction shall continue until the end of the school term. Students given excused absences during examination periods, for sickness or any other reason, shall not be counted as being in attendance.
- (11) Attendance records and teachers' grade books shall be filed with the district superintendent or his/her designee at the close of the school year.
- (12) Permanent records of staff and students shall be retained in the school. *The duplicate of said records shall be filed in a building separate and apart from the building where the original copy is filed or shall be filed in a fireproof vault designed for the purpose of protecting permanent records. [70 O.S. § 24-114]*
- (13) *Beginning in the 2007-08 school year, the parent or guardian of each student enrolled in kindergarten at a public school in this state shall provide certification to school personnel that the student has passed a vision screening within the previous twelve (12) months or during the school year. Such screening shall be conducted by personnel listed on the statewide registry as maintained by the State Department of Health. Beginning in the 2007-08 school year, the parent or guardian of each student enrolled in first or third grade at a public school in the state shall provide within thirty (30) days of the beginning of the school year certification to school personnel that the student passed a vision screening within the previous twelve (12) months. Such screening shall be conducted by personnel listed on the statewide registry as maintained by the State Department of Health. No student shall be prohibited from attending school for a parent's or guardian's failure to furnish a report of the student's vision screening or an examiner's failure to furnish the results of the student's comprehensive eye examination required by this section. School districts shall notify parents or guardians of students who enroll in kindergarten, first, or third grade for the 2007-08 school year and each year thereafter of the requirements of this section. [70 O.S. § 1210.284] (10)*

2014-2015 Standards for Accreditation of Oklahoma Schools

OAC 210:10-1-5. Audits

(a) **Financial Audit**

All schools are required to make available, to personnel of the State Department of Education, all records pertaining to Federal programs, state aid appropriations and expenditures from the general fund of the previous year; making it possible to complete an audit on all funds. Public officials, members of the boards of education, superintendents, principals, and any other persons, whose duty it is to make appropriations and/or expenditures in accordance with the provisions of the state aid law, the federal law and regulations of the State Board of Education, will be held responsible for any misappropriation or illegal expenditure of such funds.

(b) **Penalty**

If it is discovered that a school district is unable to pay its current year's obligations through careless handling of funds by the school administrator, the State Board of Education may require the administrator to show cause why the administrator's certificate should not be revoked.

(c) **Student Attendance Record Audits**

(1) Regional Accreditation Officers of the State Department of Education are required to audit the student attendance records of all Oklahoma public schools districts.

(2) In addition to the Statistical Report, the official document for student attendance accounting and auditing is the Student Attendance Register. All other student attendance documents, reports and summaries only support the accuracy of the Student Attendance Register and the Statistical Report.

(3) A school or program within a district that has a different school year from the district must present a separate Statistical Report and attendance information reflecting the different school year for that school or program. The school or program will be audited separately from the district.

(4) Each person who keeps a Student Attendance Register is required to make all entries in ink, record the attendance data for each pupil each day, keep the Register in a safe place and understand that the Register is subject to audit at any time.

(5) If the attendance records show that school was maintained for less than a full annual term without approval of the State Board of Education, state aid will be reduced accordingly unless it can be shown that the attendance records as originally presented were in error.

(6) When attendance, membership or transportation is deducted for any reason by the audit, state aid will be reduced accordingly. Factual information may be presented by the school within ninety (90) calendar days from the date of the audit showing acceptable evidence that indicates the audit is in error.

(d) **Enrollment**

(1) Enrollment means recording the name of a pupil on a class roll. Total enrollment for an attendance period or for the year, whether for a class or for an entire school is the number of all enrollments so recorded. If a student is promoted or moves from one district or school to another during a school year, the student's name will be recorded on each class roll concerned. A record of that student's enrollment will be included in the original and every subsequent roll even though the pupil will be dropped from the original roll and every subsequent roll except the current one.

2014-2015 Standards for Accreditation of Oklahoma Schools

- (2) All students attending any school within a school district, including underage, overage, nongraded, nonresident, tuition and nontransferred students, shall have their names entered in the attendance register and have their attendance recorded in the same manner as any other student. Students are to be placed on roll the first day that the student actually attends class.
- (e) **Entry, Gain and Loss**
- (1) Source of Entry will always be placed on both the Register and the Master Roster. The Source of Entry will be entered on the date that the child begins school, and it consists of a letter and a number. The letter indicates whether the student is entering a public school in this state for the first time during the current school year. The number identifies where the student was previously enrolled. Both the letter and number are to be used for Source of Entry.
- (2) A student cannot be an Original Entry more than once during any one school year. The student only has one Original Entry regardless of the number of different classrooms, schools or school districts in which the pupil enrolls or attends during the year. Entry codes are recorded on the first day the student actually attends class. There are two kinds of entry codes:
- (A) E1-A student entering a public school for the first time during the current school year. The student has not been enrolled in Oklahoma or any other state. However, a student transferring from a private or parochial school during the current school year is also classified as an E1.
- (B) E2-A student entering a public school in Oklahoma from another state. The student has previously been enrolled in a public school in another state during the current school year.
- (3) When a pupil enrolls in a public school classroom in this state a second or succeeding time during the current school year, the student is called a Gain. A student can be a Gain more than once during the same school year. The number of Gains in a school or school district do not decrease during the current school year. Gain codes are recorded on the first day the student actually attends class. There are four kinds of gains:
- (A) G1-A student enters a classroom by transfer or promotion from another school in the same school district.
- (B) G2-A student enters from another school district in Oklahoma.
- (C) G3-A student reenters the same school after a withdrawal due to illness, suspension, necessity to work, truancy, or temporary absence from the district.
- (D) G4-A student reenters the same school system after an apparent permanent withdrawal.
- (4) A Loss code is recorded each time a student withdraws from school. Loss codes are to be recorded on the date when the loss occurred. A student is not considered to be off roll until a Loss code is recorded. There are four kinds of Losses.
- (A) L1-A student is promoted to another grade or transferred to another school in the same school district.
- (B) L2-A student moves to another school district in Oklahoma.
- (C) L3-A student leaves school due to sickness, suspension, necessity to work, truancy or temporary absence from the district.

2014-2015 Standards for Accreditation of Oklahoma Schools

- (D)L4-A student leaves school due to passing compulsory school age, graduation, dropping out, moving to another state, attending a nonpublic school or death.
- (5) All Entries, Gains and Losses are to be entered in the Student Attendance Register on the day that the transaction occurs. Students are not considered on roll until they actually attend class. Students are always considered on roll until a loss code is entered.
- (f) **Attendance and Absence**
- (1) A student is to be considered present only on those days when in actual attendance in school or when participating in scheduled school activities under the direction and supervision of a regular member of the faculty. A student who is excused from attending school during an examination period or because of sickness or for any other reason shall not be counted in attendance.
- (2) All student attendance, absence and transportation information is compiled on a half-day basis with the exception of attendance, absence and transportation information for half-day early childhood or kindergarten programs which are recorded on a full-day basis. A student must be in attendance two of the first three hours of the school day to be recorded present for one-half day. Likewise, a student must be in attendance two of the final three hours to be recorded present for one-half day.
- (3) School hours are different from school periods. A school day must consist of six hours not including a lunch period. The six-hour school day can be divided into periods as the school deems appropriate.
- (4) As a condition of receiving accreditation from the State Board of Education, all students in grades nine through twelve shall enroll in a minimum of six periods, or the equivalent in block scheduling, of rigorous academic and/or rigorous vocational courses each day, which may include arts, vocal and instrumental music, speech classes, and physical education classes.
- (5) A student who is suspended out of school for any length of time is to be dropped as an L3 on the first day of the suspension. The suspended student is to be recorded as a G3 when the student returns to class. A student who is absent from the classroom without excuse ten consecutive days is to be recorded as absent each day. On day eleven, the pupil is to be dropped (L3) from the roll.
- (6) A school day for kindergarten or early childhood can be either two and one-half or six hours long. However, kindergarten and early childhood absence and attendance is always recorded on a full day basis. Nongraded pupils who are on a partial day schedule are to be counted on roll and in attendance when present.
- (g) **School Activities**
- School Activities may take place either on the school premises or off the school premises. In order for a student to be counted in attendance, the school activity must be under the direction and supervision of a teacher. Students dismissed and not under the direction and supervision of a teacher cannot be considered as participating in a school activity and cannot be counted in attendance. A student serving as a legislative page is to be counted in attendance at the school.

2014-2015 Standards for Accreditation of Oklahoma Schools

(h) **Parent Teacher Conference Days**

All students active in membership are to be counted in attendance on parent-teacher conference days. Only one parent-teacher conference day per semester will be counted for attendance purposes as a regular school day and included as part of the 175 days of required classroom instruction. Other days are encouraged above the one day per semester for parent-teacher conferences, but will not be counted for attendance purposes as regular school days.

(i) **Concurrent Enrollment**

A school district may receive full average daily attendance on a high school student who is participating in concurrent enrollment. In determining a legal school day for a student who is concurrently enrolled the district can use a combination of local school enrollment, college enrollment, and travel time. A student participating in concurrent enrollment is considered present when traveling to or from and while attending the college.

(j) **Professional Meeting Day**

(1) The State Board of Education has defined a professional meeting day to be any day on which the faculty of a school district is engaged in the educational planning for improvement of the local school system; or that the faculty engages in a local, county, district or state education planning workshop or teacher's meeting. Such a day shall be identified as a professional day in each attendance register on the day the meeting occurred.

(2) Days used to work at the beginning or at the end of the school year shall not be counted as professional development activities. Preparing the classroom for instruction, grading papers, recording grades, completing report cards or enrolling students are not examples of professional development activities.

(k) **Transportation**

(1) A student must reside one and one-half miles or more by commonly traveled road from the school attended to be considered transported. Students living less than one and one-half miles from the school may be transported but shall not be counted as transported pupils on the Transportation Report for state aid purposes.

(2) Transportation may be provided for early childhood and kindergarten students to and from school during the normally scheduled morning and afternoon bus operation. Districts may also provide additional transportation, at local expense, for either early childhood or kindergarten students at midday. However, the school district is not required to provide midday transportation to either early childhood or kindergarten students. Midday transportation for early childhood and kindergarten pupils shall not be recorded on the Transportation Report.

(3) A legally transferred or tuition student residing outside of the school district's approved transportation area may be transported to the school provided the student meets the bus within the transporting district's approved transportation area. However, tuition students may not be counted as transported students on the Transportation Report.

(l) **Authority for Birth**

(1) Authority for birth is documentation that can be used to verify school age. Examples of Authority for Birth are:

2014-2015 Standards for Accreditation of Oklahoma Schools

- (A) Birth Certificate
 - (B) Attending Physician's Certificate
 - (C) Permanent School Record
 - (D) Family Bible
 - (E) Parent Statement
 - (F) Last Year's Attendance Register
- (2) Birth Certificates, if available, must be provided for early childhood, kindergarten and first grade students who are first-time enrollees. Each different Authority for Birth must have its own unique code on the Master Roster.
- (m) **Basis of Admission**
- (1) A student is admitted to school because the student meets certain criteria. Examples of Basis of Admission are:
- (A) The student's parents are residents of the district
 - (B) The student has a valid transfer
 - (C) The student is a 9-12th grade pupil who resides in an elementary school district
 - (D) The student is a nonresident pupil that pays tuition in order to attend this school
- (2) Each different Basis of Admission must have its own unique code on the Master Roster.
- (n) **Career and Technology Center**
Students are considered in attendance when traveling to or from and while attending a Career and Technology Center.
- (o) **Home-Based Program**
An educational program for special education students who are unable to participate in a full-day educational program at school. Home-based pupils are considered on roll and in attendance.
- (p) **Nongraded**
Students who are below school age, but at least three years old, who are required by law to be served by the public schools. Also, students who have passed compulsory attendance age and are required by law to be served by the public schools may be classified as nongraded. Nongraded students are carried on roll and in attendance.
- (q) **Out-of-Home Placement**
A student who is not a resident of the district but is housed and educated in a residential child facility or a treatment center located in the district. Out-of-home placement students are carried on roll and in attendance and are considered resident students during the time the students are at the facility. **(08)**

OAC 210:10-1-17. Student Residency

- (a) The residence of a student for school purposes is defined by [70 O.S. § 1-113](#).
- (b) The school district in which a student is presented for enrollment shall verify that the student is either a resident of the school district or is otherwise entitled to attend school in that school district for any other reason authorized by law.
- (c) Each school district shall adopt a policy which provides for the procedures and criteria to determine if a student is a resident of the school district. Local board of education policy shall include, but not be limited to, documented evidence provided by the

2014-2015 Standards for Accreditation of Oklahoma Schools

parent, guardian or person having care and custody of the student. Such documentation may include proof of provisions of utilities, payment of ad valorem taxes, local agreements or contract for purchasing/leasing housing. The criteria for residency adopted in such policy shall not be in conflict with statutory provisions relating to the residence of students. Such policy shall provide for educational services for homeless children to the extent required by [Public Law 100-77, Title VII, Subsection B](#).

- (d) Pursuant to [70 O.S. § 18-111](#) *a pupil moving from a school district during a school term shall be entitled to attend such school for the remainder of that school term.*
- (e) A school district may, as part of its procedures for determining student residency, require reverification of student residency at the beginning of each school term.
- (f) Procedures for resolving residency disputes are specified in this subsection. Each school district shall designate a residency officer. In addition, each district shall include in their written policy information on how to request a review of a residency dispute and how the residency officer may be contacted. Any question or dispute as to the residence of a student shall be determined by the residency officer pursuant to the following procedures.
 - (1) If a school district initially denies admittance of a student who claims to be a resident of that district, the parent, guardian or person having care and custody (hereafter parent) of the student shall be informed that they may request a review of the decision of the local residency officer. Each district may develop a residency review form.
 - (2) If, during the course of the school year, a dispute arises as to the residence of a student who is enrolled and attending school, the student shall be allowed to continue in that school until these dispute procedures have been exhausted.
 - (3) The parent of the student must notify the residency officer in writing of the review request within three (3) school days from denial of admittance. Upon receipt of a request for review, the residency officer shall allow the parent, guardian or person having care and custody to provide additional pertinent information in accordance with the district's criteria and the statutory provisions regarding residency. Said information must be submitted with the request for review.
 - (4) The residency officer must render a decision and notify the parent of the decision and reasoning therefore in writing within three (3) school days of the receipt of the request for review.
 - (5) In the event the parent disagrees with the decision, the parent shall notify the residency officer, within three (3) school days of receipt of the residency officer's decision, who will submit his/her findings and all documents reviewed to the local board of education. The local board of education will review the decision and the documents submitted on behalf of the district and the student and render a decision at the next board meeting. The local board's decision shall be the final administrative decision.
 - (6) In an effort to place students in school as quickly as possible, timelines shall be followed, unless due to emergency circumstances both parties agree to an extension of timelines.

(98)

2014-2015 Standards for Accreditation of Oklahoma Schools

OAC 210:10-1-18. Transfers

- (a) **Governing statutes.** All district transfers shall be governed by the Oklahoma Education Open Transfer Act, [70 O.S. § 8-101.1](#), et seq. In addition, the following types of transfers are governed by the following provisions of law:
- (1) **Students with disabilities.** Transfers made for the purpose of providing a free appropriate public education (FAPE) to special education students shall be governed by [70 O.S. § 18-110](#) and [70 O.S. § 13-101](#), et seq. Such transfers shall not be considered open transfers subject to the provisions of (d) of this Section.
 - (2) **Gifted and talented students.** Transfers made for the purpose of providing gifted child educational programs shall be governed by [70 O.S. § 1210.307](#).
 - (3) **Parents who are teachers.** Transfers for the purpose of allowing a student to attend school in a district in which the student's parent is employed as a teacher shall be governed by [70 O.S. § 8-113](#).
 - (4) **Deployed parents.** Transfers for the purpose of allowing a student of a deployed parent to attend school in a district in which a family member resides shall be governed by [70 O.S. § 8-103.1](#).
 - (5) **Emergency transfers.** Transfers on the basis of an emergency shall be governed by [70 O.S. § 8-104](#).
 - (6) **Sibling transfers.** Transfers of siblings pursuant to the provisions of [70 O.S. § 8-101.2](#) shall be processed as open transfers in accordance with the requirements of [70 O.S. § 8-103](#) and (d) of this Section, provided that in the event such a transfer request is for the purpose of ensuring placement of multiple birth siblings in the same school and/or classroom, the transfer may be processed in accordance with the procedures set forth at [70 O.S. § 24-154\(A\)](#) in lieu of the open transfer procedures.
- (b) **District policies and procedures pertaining to student transfers.** Local school districts shall adopt policies and procedures governing the transfer of students who do not reside in the school district that comply with all provisions of state law governing student transfers, including the statutes pertaining to transfers referenced in (a) of this Section. If permitted by statute and the provisions of this Section, the receiving school board of education may refuse the transfer request of a student who does not reside in the district in accordance with the provisions of the adopted policy, but may not accept or deny a request based on statutorily prohibited factors as set forth in [70 O.S. § 8-103.1](#).
- (c) **Definitions.** The following words and terms, when used in this subchapter, shall have the following meaning, unless the context clearly indicates otherwise:
definitions shall apply in State Department of Education rules relating to transfers:
- ~~(1) Open Transfer~~ The transfer of a student from the district in which the student resides to another school district furnishing the grade the student is entitled to pursue. An open transfer may be requested and approved only during the statutory timeframe.
 - (1) **"Active duty orders"** means temporary transfer of a member of the active uniformed military services of the United States to a location that is outside of the service member's school district of residence in compliance with official

2014-2015 Standards for Accreditation of Oklahoma Schools

- orders in support of combat, contingency operation or a natural disaster that requires the use of orders for more than thirty (30) consecutive days.
- (2) **"Deployed parent"** means a "parent" under the definition set forth in this subsection who is a member of the active uniformed military services of the United States, is on full-time active duty status or active duty orders, and for whom Oklahoma is the home of record.
- (23) **"Emergency transfer" Transfer** means the transfer of a student from the district in which the student resides to another school district furnishing the grade the student is entitled to pursue which, for specific reasons, must be requested and approved outside of the statutory timeframe required for open transfers.
- (34) **"IEP service agreement" Service Agreement** An means an Individualized Education Program agreement between school districts to provide special education and related services to an eligible student with a disability solely for the purpose of providing the student a free appropriate public education (FAPE). An IEP Service Agreement is the resourcing of special education and related services (i.e., all services required to be provided to a student pursuant to the provisions of the IDEA) to a school district that provides special education and related services to an eligible student with a disability on behalf of the resident district.
- (5) **"Open transfer"** means the transfer of a student from the district in which the student resides to another school district furnishing the grade the student is entitled to pursue. An open transfer may be requested and approved only during the statutory timeframe.
- ~~—(4) "Special Education and Related Services" All means all services required to be provided pursuant to the Individuals with Disabilities Education Act (IDEA) U.S.C. §§ 1400, et seq.~~
- ~~(6) "Parent" means the parent, legal guardian, or person having custody of the student seeking a transfer as provided by 70 O.S. § 1-113(A)(1). For purposes of the Individuals with Disabilities Act at 20 U.S.C. § 1400 et seq. (IDEA), the definition of parent set forth in 34 C.F.R. § 300.30 shall supersede the definition of parent in this subsection.~~
- ~~(57) "Receiving school district" School District The means the school district in which the student is seeking to be transferred.~~
- ~~(68) "Resident school district" School District The means the school district in which the parent, guardian, or person having custody of the student resides, as defined in 70 O.S. § 1-113(A)(1).~~
- ~~(7) Parent For purposes of the Education Open Transfer Act, this includes the parent, guardian, or person having custody of the student, as defined in 70 O.S. § 1-113(A)(1). For purposes of IDEA, the definition of parent set forth in 34 C.F.R. § 300.30 shall supersede this rule.~~
- (9) **"Teacher"** means any person employed in a position that meets the definition of a teacher set forth in 70 O.S. § 1-116.
- (ed) **Open Transfers.** Transfers to another district may be approved by the board of education of the receiving school district. If the grade a student is entitled to pursue is

2014-2015 Standards for Accreditation of Oklahoma Schools

not offered in the district where the student resides, the transfer shall be automatically approved by the receiving school district. No student may be granted more than one (1) open transfer per school year, but may qualify for additional transfers pursuant to emergency provisions of the Education Open Transfers Act or a legal change in residence. All open transfers must be initiated and processed in accordance with the following procedures:

(1) The parent of the student must complete an application form specified by the State Board of Education. The application must be ~~submitted to~~ filed with the receiving school district by ~~April 1~~ May 31 of the school year preceding the school year for which the transfer is being requested.

(2) No later than May 31 of the same year in which the transfer is requested, the The receiving school district shall notify the resident school district that an application for transfer has been filed by the student enrolled in the resident school district.

(3) No later than July 15 of the same year in which the transfer is requested, the The board of education of the receiving school district shall approve or deny the application ~~no later than June 1 of the same year~~ and notify the parents of the student of the decision in writing.

(4) No later than August 1 of the same year in which the transfer is requested, the The parents of the student shall ~~confirm enrollment in writing with~~ provide the receiving school district with written notification that the student will be enrolling in the receiving school district. ~~by July 1 of the same year.~~ Failure of the parents to notify may result in the loss of the student's right to enroll in the school district for that year only. If a parent fails to notify the receiving school district that a student will be enrolling, and the receiving school district chooses to cancel the transfer, the receiving school district shall provide a written notice of the cancellation to the parent and the resident district immediately upon cancellation.

~~(5) Local school districts shall adopt a policy governing the transfer of students who do not reside in the school district. A receiving school board of education may refuse the transfer request of a student who does not reside in the district in accordance with the provisions of the adopted policy, but may not accept or deny a request based on statutorily prohibited factors as set forth in 70 O.S. § 8-103.1.~~

~~(6)~~ Approval of the resident district is not required for an open transfer.

~~(7)~~ Transfer requests submitted outside of the statutory time frame for open transfers will not be considered timely and must meet the statutory criteria of an emergency transfer to be approved.

(7) Notwithstanding the provisions of this subsection, a student shall be allowed to transfer to a school district in which a parent of the student is employed as a teacher upon the approval of the receiving district only, without regard to the deadlines or other limitations on number of transfers set forth in this subsection.

~~(d)~~ **Emergency Transfers and mandatory transfers.** In addition to the open transfer process, students may be transferred on an emergency basis, as prescribed by statute or on the basis of a transfer mandated by statute. Emergency transfers must be initiated and processed in accordance with the following procedures:

2014-2015 Standards for Accreditation of Oklahoma Schools

- (1) The parents of the student may make an application for an emergency transfer. The application for emergency transfer must be filed with the superintendent of the receiving school district.
- (2) The superintendent of the receiving school district or his/her designee responsible for approving transfers may approve the emergency transfer only upon an adequate showing of emergency, and subject to approval of the State Board of Education.
- (3) Only the superintendent of the receiving school district or his/her designee responsible for approving transfers may submit an application for emergency transfer to the State Board of Education for approval. The superintendent or designee of the receiving school district shall collect documentation from the student desiring to be transferred, and may be required to submit such documentation to the State Board of Education through the State Department of Education's student information system. In submitting an application for an emergency transfer to the State Board of Education, the superintendent or designee verifies that he/she has personally reviewed and approved the application and has a good faith belief that the student qualifies for an emergency transfer.
 - (A) If the superintendent has appointed a designee to review and approve emergency transfers, the school district shall notify the State Department of Education of the appointment.
 - (B) Resident district approval of an emergency transfer is only required if ~~the~~ an emergency transfer is being requested on the basis of concurrence of both the resident and receiving school districts ~~conducted~~ pursuant to [70 O.S. § 8-104\(5\)](#). Emergency transfer approval requests submitted to the State Board of Education on the basis of [70 O.S. § 8-104\(5\)](#) shall be reviewed by the resident district within ten (10) business days of submission. Failure of the resident district to take action to approve or deny the emergency transfer request within ten (10) business days shall result in an automatic approval.
- (4) Emergency transfers shall be approved only in the following circumstances:
 - (A) The destruction or partial destruction of a school building;
 - (B) Inability of the resident district to offer the subject a student desires to pursue, if the student becomes a legal resident of the school district after February 1 of the school year immediately prior to the school year for which the student is seeking to transfer.
 - (C) A catastrophic medical problem of a student, which for purposes of this section shall mean an acute or chronic serious illness, disease, disorder or injury which has a permanently detrimental effect on the body's system or renders the risk unusually hazardous;
 - (D) Total failure of transportation facilities;
 - (E) With the concurrence of both the ~~sending~~ resident and receiving school districts;

2014-2015 Standards for Accreditation of Oklahoma Schools

(F) The unavailability of remote or on-site Internet-based instruction by course title in the district of residence for a student identified as a result of the district's intake and screening procedures as in need of drop-out recovery or alternative education services, provided such student was enrolled at any time in a public school in this state during the previous three

(3) school years; ~~or~~

(G) The unavailability of a specialized deaf education program for a student who is deaf or hearing impaired. This transfer may be processed and handled as an IEP Service Agreement. Such determination shall be made in coordination with the parents of the requesting student; ~~or~~:

(H) When a student has been the victim of harassment, intimidation and bullying as defined in 70 O.S. § 24-100.3, and the receiving school district has verified that:

(i) The student has been the victim of harassment, intimidation or bullying; and

(ii) The resident school district was notified of the incident or incidents prior to the filing of the application for transfer;

(5) Obtaining an emergency transfer by submitting an application that includes false or inaccurate information, or obtaining an emergency transfer on behalf of a student who remains in the resident school district may result in a reduction of a district's funding allocation based on Average Daily Attendance (ADA) and/or Average Daily Membership (ADM).

(6) If a student to whom a an emergency transfer has been granted fails to report and/or enroll in the receiving school district, the superintendent of the receiving school district shall notify the State Board of Education and the resident school district within ten (10) business days.

(f) Deployed parents. Student transfers under the *Deployed Parents School Act of 2012* at 70 O.S. § 8-103.1 shall be processed in accordance with the following provisions:

(1) The parents of the student may make an application for a deployed parent transfer. The application for a deployed parent transfer must be filed with the superintendent of the receiving school district.

(2) The superintendent of the receiving school district or his/her designee responsible for approving transfers may approve deployed parent transfer only upon an adequate showing of the following:

(A) The parent meets the definition of a deployed parent set forth in (c) of this Section;

(B) The parent has a current, valid identification card issued by the United States Department of Defense; and

(C) The student will be residing with a relative of the student who lives in the receiving school district or who will be living in the receiving school district within six (6) months of the date that the application for transfer is filed.

(3) Transfers pursuant to the provisions of this subsection shall not be subject to the open transfer deadlines set forth in (d) of this Section.

(g) Cancellation of transfers. Transfers may only be cancelled in accordance with the following provisions:

2014-2015 Standards for Accreditation of Oklahoma Schools

(1) Open transfers may not be cancelled unless the receiving school district has notified the resident school district and parents of the students of its intent to cancel the transfer by July 15 prior to the school year for which the school district seeks to cancel the transfer.

~~(7)~~(2) Emergency transfers may only be cancelled with the concurrence of the board of the receiving school district and the parents of the student. A school district must notify the parent in writing of the date and time for which the transfer will be considered for cancellation by the school board and the written notice must be received by the parent no less than five (5) business days prior to the date of the meeting at which the proposed cancellation will be considered.

(h) **Reporting transfers.** On or before September 1 of each school year, the Superintendent of each receiving school district shall file a statement with the State Board of Education and each resident school district showing the name and grade level of each student granted a transfer to the receiving school district. (14)

70 O.S. § 8-103.1 Transfer of Student - Non-resident - Military

A. A local school district board of education which receives a request for a transfer for a student who does not reside in the school district may refuse the transfer in accordance with the provisions of the open transfer policy adopted by the local school district board of education and subject to the provisions of subsection B of this section. Each local board of education shall adopt an open transfer policy for the school district which specifies its criteria and standards for approval of transfers of students who do not reside in the district. The policy shall include, but shall not be limited to, provisions relating to the availability of programs, staff, or space as criteria for approval or denial of transfers. A school district may include in the policy as the basis for denial of a transfer, the reasons outlined in [Section 24-101.3](#) of this title.

In considering requests for students to transfer into a school district, the board of education shall consider the requests on a first-come, first-serve basis. A school district shall not accept or deny a transfer based on ethnicity, national origin, gender, income level, disabling condition, proficiency in the English language, measure of achievement, aptitude, or athletic ability.

Notwithstanding the provisions of the Education Open Transfer Act, transfers of children with disabilities shall be granted as authorized in [Section 13-103](#) of this title.

B. A local school district board of education shall adopt a policy for the school district regarding the transfer of students who are the dependent children of a member of the active uniformed military services of the United States on full-time active duty status and for whom Oklahoma is the home of record and students who are the dependent children of a member of the military reserve on active duty orders and for whom Oklahoma is the home of record. The policy shall provide for the approval of the transfer if:

- 1. At least one parent of the student has a Department of Defense-issued identification card;*

2014-2015 Standards for Accreditation of Oklahoma Schools

2. *At least one parent can provide evidence that he or she will be on active duty status or active duty orders, meaning the parent will be temporarily transferred in compliance with official orders to another location in support of combat, contingency operation or a natural disaster requiring the use of orders for more than thirty (30) consecutive days; and*
3. *The student will be residing with a relative of the student who lives in the receiving school district or who will be living in the receiving school district within six (6) months of the filing of the application for transfer.* **(13)**

70 O.S. § 8-103 Application for Transfer - Procedure

A. In order that any student may be transferred, an application form specified by the State Board of Education must be completed by the parents of the student. For purposes of the Education Open Transfer Act, the term "parent" means the parent of the student or person having custody of the student as provided for in paragraph 1 of subsection A of [Section 1-113](#) of this title. The application shall be obtained from and filed with the superintendent of the receiving school district for transfers to school districts in the State of Oklahoma and with the State Board of Education for transfers to school districts in another state. Except as otherwise provided for in this section, applications shall be filed no later than May 31 of the school year preceding the school year for which the transfer is desired. By May 31 of the same school year, the receiving school district shall notify the resident school district that an application for transfer has been filed by a student enrolled in the resident school district. The board of education of the receiving school district shall approve or deny the application for transfer not later than July 15 of the same year and shall notify the parents of the student of the decision. By August 1 of the same year, the parents of the student shall notify the receiving school district that the student will be enrolling in that school district. Failure of parents to notify the district as required may result in loss of the student's right to enroll in the district for that year.

B. On or before September 1, it shall be the duty of the superintendent of the receiving school district to file with the State Board of Education and each resident district a statement showing the names of the students granted transfers to the school district, the resident school district of the transferred students and their respective grade level.

C. The receiving school district of a student transferred pursuant to the provisions of this act shall notify the resident school district and parents of the student of a cancellation of the transfer. Such notice shall be made by July 15 prior to the school year for which the cancellation is applicable.

D. For students who are deaf or hearing impaired who wish to transfer to a school district with a specialized deaf education program, applications may be filed at any time during the school year. Upon approval of the receiving school district, the student may transfer to the receiving school district at any time during the school year. **(SB 280)(13)**

OAC 210:10-1-19 Special Education and Gifted Education Transfers

2014-2015 Standards for Accreditation of Oklahoma Schools

- (a) It shall be the duty of each school district to provide special education and related services for all children with disabilities who reside in that school district in accordance with the [Individuals with Disabilities Education Act \(IDEA\)](#), U.S.C. §§ 1400, *et seq.* A school district/LEA may fulfill this duty, to provide FAPE, by one of the following:
- (1) The district directly providing special education for such children;
 - (2) The district joining a cooperative program with another district or districts to provide special education;
 - (3) The district joining in a written agreement with a private or public institution, licensed residential childcare and treatment facility or day treatment facility within the district to provide special education and related services to students with disabilities;
 - (4) The district entering into a written agreement with another school district whereby the resident district agrees that the receiving school district will provide FAPE to an eligible student with a disability on behalf of the resident district. This agreement is an IEP Service Agreement, entered into solely for the purpose of providing special education and related services (FAPE) to an eligible student with a disability. In this case, all funds remain with the resident school district, which agrees to pay tuition to the receiving district. Further, the average daily membership (ADM) of the student is credited to the resident district. The resident district has the responsibility to provide FAPE, special education and related services, including transportation for students serviced pursuant to this provision. Representatives of the resident district are responsible for the development and implementation of the IEP and must be provided the opportunity to participate in all IEP meetings. In the event of a due process complaint, the resident district retains responsibility.
 - (A) IEP Service Agreements entered into pursuant to this section for three (3) consecutive years to the same school district shall lead to automatic renewal of the agreement each year. In these cases, the resident district shall continue to pay tuition as provided by law. Automatic renewal occurs only in cases where districts have entered into IEP Service Agreements.
 - (B) IEP Service Agreements are granted by approval of both the resident and receiving school districts. Such agreements shall be memorialized in writing and documented in State Department of Education's student information system. This agreement should not be documented as a transfer pursuant to the Education Open Transfer Act.
- (b) All transfers involving a student with disabilities are transfers and shall be conducted in accordance with the Education Open Transfer Act, [70 O.S. § 8-101](#), *et seq.*, and State Department of Education rules. Transfers granted to students who are incidentally special needs students shall be governed by [OAC 210:10-1-18](#) and governing state law. Consideration shall be given to the original purpose of the transfer.
- (1) In the event a student with disabilities requests a transfer for any reason other than to receive FAPE, the following provisions shall apply:
 - (A) The receiving school district shall establish availability of the appropriate program, staff, and services prior to the approval of the transfer; and
 - (B) The receiving school district shall consult the resident school district and the

2014-2015 Standards for Accreditation of Oklahoma Schools

- parents of the student to determine how FAPE will be provided to the student. Services comparable to those described in the IEP shall be provided until the receiving school district adopts the child's IEP from the resident district or develops, adopts and implements a new IEP that meets IDEA requirements.
- (2) Upon approval of the transfer pursuant to the Education Open Transfer Act, the receiving district shall claim the child in the average daily attendance for membership (ADM) for state and federal funding purposes and shall assume responsibility for education of the child. For state funding purposes, the State Department of Education shall include the appropriate grade level weight and all category weights to which the pupil is assigned to calculate State Aid pursuant to [70 O.S. § 18-200.1](#), et seq.
- (c) In the event of an IEP Service Agreement, it is the responsibility of the resident school district to provide transportation to a child who has been granted a transfer for the purpose of providing a free appropriate public education (FAPE). In the event of an open transfer, the receiving school district is responsible for providing transportation if necessary to provide FAPE to the student with a disability.
- (1) The need for transportation must be determined on an individualized basis by the IEP team. If the IEP team determines that transportation is a related service the child needs in order to access FAPE, then the service will be provided regardless of the distance the child resides from the school. The need for, frequency, and duration of these services must not be determined by the category of disability, the availability of services, or the distance the child lives from the school where the special education program is to be delivered. If the child requires transportation to receive, benefit from, or obtain access to a special education program, the district shall provide it at no cost to the student. When possible, children on an IEP should be transported with nondisabled peers.
- (A) Under federal regulations, transportation and such developmental, corrective, and other supportive services may be required for a child with a disability to benefit from special education. Transportation includes travel to and from school and between schools, travel in and around school buildings, and specialized equipment required to provide transportation to a child with disability, such as special or adapted buses, lifts, and ramps.
- (B) The provision of transportation for preschool children with disabilities must be considered on an individual basis by the IEP team. The team must consider transporting a preschool aged child to the site where special education and related services are provided, if that site is different from the site at which the child receives other preschool services.
- (C) The school district may provide transportation services directly or contract with parents or some other person to furnish transportation. The miles driven and cost per mile to be paid by the school district should be specified in the IEP. Based on a mutual agreement between two school districts, a school district offering special education classes may extend its transportation services to include the transportation of children qualifying for special education in an adjacent district that does not offer special education classes.

2014-2015 Standards for Accreditation of Oklahoma Schools

- (D) Children with disabilities are entitled to the same length of school day offered to all children as established in Oklahoma state law. Transportation, scheduling, or administrative conveniences are not acceptable reasons for students with disabilities to have shortened school days. Additionally, academic schedules may not be lengthened or shortened to accommodate transportation.
- (2) Independent school districts are responsible for providing FAPE to children aged three (3) through twenty-one (21) years old. Elementary school districts are responsible for providing FAPE to children aged three (3) through twenty-one (21) years old. Elementary school districts are responsible for providing FAPE to children aged three (3) through the highest-grade level of the school. A school district's responsibility to provide transportation to children with disabilities extends to the grade offered by that school district.
- (A) If a child transfers to an independent school district upon completion of the highest grade offered by an elementary school district, and the student lives within the independent school's transportation area, that independent district must provide transportation for that child.
- (B) Other independent school districts may also enroll any transferred high school child, but they are not required to provide this transportation service outside their transportation area.
- (C) In the event that transportation is included as a related service in the IEP and the IEP is reviewed and adopted by the receiving independent school district, the receiving school district will be required to provide transportation regardless of the transportation area where the child resides.
- (d) It shall be the duty of each school district to provide gifted child educational programs and to serve those children, as defined in [70 O.S. § 1210.307](#). This duty may be satisfied by:
- (1) The district directly providing gifted child educational programs for such children;
- (2) The district joining in a cooperative program with another district or districts to provide gifted child educational programs for such children;
- (3) The district joining in a cooperative program with a private or public institution within such district; or The district entering into a written agreement with another school district whereby the resident district agrees that the receiving school district will provide appropriate gifted child educational programs.
- (A) No transfer shall be made without the consent of the board of education of the receiving school district;
- (B) The resident school district shall provide transportation for the transferred student; and
- (C) The resident school district shall pay an amount of tuition equal to the proportion of the operating costs of the program to the receiving district. (12)
- [OAC 210:20-23-2](#). Requirements for school board member candidacy; notification; contests of candidacy**
- (a) The school board president or designee shall notify the State Department of Education in writing when any newly elected, reelected, or appointed school board member

2014-2015 Standards for Accreditation of Oklahoma Schools

- takes office, and submit the member's name and mailing address, seat number and the beginning and ending date of the term of office.
- (b) The local school board president or designee shall notify the State Department of Education in writing when a board member is deceased, has resigned, or otherwise leaves office.
 - (c) Each local board of education shall establish a policy which includes:
 - (1) a procedure for notifying school board members of their New School Board Member and continuing education requirements, and
 - (2) identification of the individual responsible for notifying the State Department of Education of any changes in board membership.
- (98)

OAC 210:20-23-3. Requirements for new and incumbent school board member training

- (a) **Definitions.** The following words and terms, when used in this subchapter, shall have the following meaning:
 - (1) **"Approved instruction"** means instruction provided through workshops for the purpose of meeting the school board member instruction and continuing education requirements set forth in 70 O.S. §§5-110 and 5-110.1. Workshops providing instruction to qualify for credit pursuant to this Section and 210:20-23-4 shall include all in-state workshops, seminars, conferences, and/or conventions that are conducted by the State Department of Education, the Oklahoma Department of Career and Technology Education, the Oklahoma State School Boards Association, and all approved local professional development programs of the board member's district. Other programs must have joint prior approval in writing by the State Department of Education and the Oklahoma Department of Career and Technology Education. Requests for such approval must be in writing.
 - (2) **"Incumbent school board member"** means an individual who currently serves as a member of a district school board by either election or appointment and who also served as a school board member through either election or appointment to the term immediately prior to the current term of office.
 - (3) **"New school board member"** means an individual who has been elected or appointed to serve as a member of a district school board and who has not been previously appointed or elected to serve as a school board member to the term immediately prior to the current term for which the member has been elected or appointed.
 - (b) **Training for new school board members.** Within fifteen (15) months after the date of election or appointment, each ~~Each~~ new school board member shall complete at least twelve (12) hours of approved instruction on education issues that meet all of the following requirements; within 15 months of election:
- (1) ~~Two hours~~ At least one (1) hour on public school finance and reporting including public school finance and/or, if appropriate, Career Technology finance;
 - (2) ~~Two hours~~ At least one (1) hour on the Oklahoma Open Meeting/Open Records Act Open Records Act and Oklahoma Open Meeting Act;
 - (3) ~~One hour on new state and federal laws and their impact on local school districts;~~

2014-2015 Standards for Accreditation of Oklahoma Schools

~~(43) At least one (1) One hour on ethics; and, duties, and responsibilities of school board members;~~

~~(5) Two hours on legal issues impacting local school districts;~~

~~(6) One hour on school employment and due process law;~~

~~(7) Two hours of specific instruction on the Individuals with Disabilities Education Act (IDEA); and~~

~~(84) At least nine (9) hours of approved instruction in other educational issues in the following areas; One hour~~

~~(A) Legal issues impacting local school districts;~~

~~(B) School employment and due process law;~~

~~(C) New laws;~~

~~(D) Special education law; or~~

~~(E) Additional hours of instruction in legal issues related to topics set forth in (1) through (3) of this subsection, provided that no hour of instruction shall be counted more than once to meet the required twelve (12) hours of new board member instruction. on educational issues.~~

(c) Training for incumbent school board members. Within fifteen (15) months after the date of election or appointment, each incumbent school board member shall complete at least six (6) hours of approved instruction that meets all of the following requirements:

(1) At least one (1) hour of instruction in public school finance and/or, if appropriate, Career Technology finance;

(2) At least one (1) hour of instruction on the Oklahoma Open Records Act and the Oklahoma Open Meeting Act;

(3) At least one (1) hour of instruction on ethics; and

(4) At least three (3) hours of approved instruction in other educational issues in the topics referenced in this subsection and/or in (b)(1) through (b)(4) of this Section, provided that no hour of instruction shall be counted more than once to meet the required six (6) hours of training required by this subsection.

(d) Short-term appointments. School board members who hold their seats by appointment for less than fifteen (15) months prior to the date of the next election shall be excused from the training requirements in (b) and (c) of this Section. However, the provisions of this subsection do not excuse an appointed board member from any training requirements of [70 O.S. §5-110](#) incurred during the incumbent's previous term or any future training requirements incurred upon future election or appointment.

(e) Carry over of excess approved instruction credits. Any hours of approved instruction in excess of the requirements of this Section that have been earned during a school board member's current term of office may be applied toward the continued education requirements of [70 O.S. §5-110.1](#), provided that:

(1) No excess hours of approved instruction shall be permitted to carry over into a subsequent term of office; and

(2) No hour of instruction shall be counted more than once to meet any of the training requirements set forth in this Section or in 210:20-23-4. (14)

19 O.S. § 138.17 – Duty of Candidates and Elected Officers to File Statements of Financial Interests (Effective January 1, 2015)

2014-2015 Standards for Accreditation of Oklahoma Schools

All candidates for county office and all elected county officers shall be required to file a notarized statement of financial interests with the county election board subject to the same requirements as set forth for statements of financial interests filed with the Ethics Commission under Rules of the Ethics Commission promulgated pursuant to Section 3 of Article XXIX of the Oklahoma Constitution.

(14)

70 O.S. § 5-110 – Instruction for New and Incumbent Board Members - Expenses

A. A school district elector who is elected or appointed to be a member of a school district board of education prior to January 1, 2014, shall obtain instruction on education issues in accordance with rules promulgated by the State Board of Education. Except as provided in subsection B of this section, at the time a school district elector files a notification and declaration of candidacy for the office of school district board of education membership or is appointed to be a member of a school district board of education on or after January 1, 2014, the elector shall agree and pledge in writing that, within fifteen (15) months of election or appointment as a member of the district board of education, the member will complete at least twelve (12) hours of instruction on education issues, ~~including in the following areas:~~ school finance; ~~Oklahoma education laws,~~ legal issues, which include but are not limited to employment, due process, new laws, the Oklahoma Open Records Act and the Oklahoma Open Meeting Act; and ~~ethics,~~ duties and responsibilities, which include but are not limited to special education and ethics, of district board of education members. ~~This requirement~~ Each elector shall agree and pledge in writing to complete at least one (1) hour of instruction in school finance, one (1) hour of instruction in the Oklahoma Open Records Act and the Oklahoma Open Meeting Act and one (1) hour of instruction in ethics. The remaining hours may be satisfied by attending a two-day workshop to be held within the state by the State Department of Education, by the Oklahoma Department of Career and Technology Education, or by attending workshops, seminars or classes which address the above-mentioned subject matter, and which are sponsored by any organization approved by the State Board of Education, including but not limited to institutions of higher education. The State Board of Education shall promulgate rules by which an organization or particular courses offered by an organization may be approved for purposes of fulfilling the instructional requirements set out in this section.

B. When an incumbent of a district board of education files a notification and declaration of candidacy for reelection to the district board of education, the member ~~shall not be required to comply with the provisions of subsection A of this section~~ but shall be required to agree and pledge in writing that upon reelection the member will complete six (6) hours of instruction, within fifteen (15) months of election, ~~emphasizing changes in school law, particularly changes in the areas~~ including one (1) hour of instruction in school finance, one (1) hour of instruction in the Oklahoma Open Records Act and the Oklahoma Open Meeting Act and one (1) hour of instruction in ethics. The remaining hours may be satisfied by attending a workshop, class or seminar addressing the education issues set forth in subsection A of this section.

2014-2015 Standards for Accreditation of Oklahoma Schools

C. The State Department of Education shall, immediately after the annual elections of various district board of education members, determine the members of the district boards of education pledged to complete the instructional requirements established in subsections A and B of this section, and shall notify the members of the time and place where workshops, classes and seminars are to be conducted. Upon completion of the instructional requirements, the certificate of completion shall be included in the public records of the school board's minutes. Each school board member, except for an incumbent member, shall be required within fifteen (15) months following or preceding election to complete the workshop established by subsection A of this section or to attend twelve (12) hours of other state workshops, classes or seminars conducted as instruction on the subjects of school finance, ~~the Oklahoma School Code and related laws~~ legal issues, and the ethics, duties and responsibilities of district board of education members, including at least one (1) hour of instruction in school finance, one (1) hour of instruction in the Oklahoma Open Records Act and the Oklahoma Open Meeting Act and one (1) hour of instruction in ethics.

D. If a school board member, including an incumbent member, has not satisfied the instructional requirements as set forth in this section within fifteen (15) months of election, reelection or appointment, the district board of education shall declare the seat of the member vacant and fill the vacancy according to law. A school board member who is required to vacate a school board seat pursuant to this subsection shall be ineligible to be reappointed or to run for reelection to that respective board seat on the school district board of education or to run for election to any other board seat on the board of education for a three-year period for three-member boards, for a four-year period for seven-member boards or for a five-year period for five-member boards.

E. All government departments, agencies and institutions of this state are directed to lend assistance as may be required by the State Department of Education for the proper conduct and administration of the workshops as authorized in subsection A of this section. The State Department of Education shall maintain a permanent record of each district board of education member who successfully completes a workshop and shall issue a certificate of completion to the member.

F. The State Department of Education, the Oklahoma Department of Career and Technology Education, and, upon approval of the State Board of Education, any organization or association representing district boards of education in this state are authorized to charge persons pledged to attend a workshop, class or seminar for purposes of meeting the instructional requirements of this section, a registration fee sufficient to defray the estimated costs of presenting the workshop, class or seminar and to collect the fees at the time of registration.

G. Any member of a district board of education or any individual elected, certified as the elected member by the county election board, but not sworn in and seated as a member of a district board of education at the time of a workshop, class or seminar presented by the State Board of Education, the Oklahoma Department of Career and Technology Education, or an organization or association representing district boards of education within the state who

2014-2015 Standards for Accreditation of Oklahoma Schools

attends and successfully completes a workshop, class or seminar as required by subsection A or B of this section shall be reimbursed by the school district in accordance with the travel reimbursement policy of the district. (13)

OAC 210:20-23-4. Requirements for continuing education; certificates; costs

(a) Continuing education requirements. In addition to the training requirements set forth in 210:20-23-3, every new and incumbent school board member elected to a full term of office of three (3) years or more shall meet the continuing education requirements set forth in 70 O.S. 5-110.1(A) as follows:

(1) Members elected to a full term of three (3) years or more shall be required to attend a minimum of nine (9) hours of continuing education;

(2) Members elected to a full term of four (4) years or more shall be required to attend a minimum of twelve (12) hours of continuing education; and

(3) Members elected to a full term of five (5) years or more shall be required to attend at least fifteen (15) hours of continuing education.

(b) Approved instruction. Workshops which qualify for credit shall include all in-state workshops, seminars, conferences, and/or conventions that are conducted by the State Department of Education, the Oklahoma Department of Career and Technology Education, ~~State Department of Vocational and Technical Education~~, the Oklahoma State School Boards Association and all approved local professional development programs of the board member's district. Other programs must have joint prior approval in writing by the State Department of Education and the Oklahoma Department of Career and Technology Education. ~~State Department of Vocational and Technical Education~~. Requests for such approval must be in writing.

~~(b)~~ **Certificates of completion.** School board members who complete any approved workshop shall receive a certificate of completion at the end of the workshop. Copies of the certificate shall be forwarded to the State Department of Education by the director of the workshop. Upon completion of local professional development workshops, copies of the certificate, signed by the professional development coordinator, shall be forwarded by the board president or designee to the State Department of Education. (14)

OAC 210:20-23-5. Records management

Two times a year, the State Department of Education shall notify the school superintendent of the credit hours completed by each member of the board. (98)

OAC 210:10-1-7. Board(s) of education

(a) The Oklahoma School Code in part, provides that each school district shall be a body corporate and shall possess the usual powers of a corporation for public purposes and it may sue and be sued and be capable of contracting and being contracted with and holding such real and personal estate as it may come into possession of as authorized by law. It further provides that the governing board of each school district in Oklahoma is designated to be known as the board of education of such district, and that the superintendent of schools appointed and employed by such board shall be the executive officer of said board and shall perform such duties as said board directs. These sections of the School Code emphasize the legal responsibilities of the board of

2014-2015 Standards for Accreditation of Oklahoma Schools

- education for the acts or business transacted by the school district and its responsibility of outlining, defining, and fixing the sphere within which its superintendent is to perform the assigned duties.
- (b) Each responsibility mentioned elsewhere for the superintendent legally is a responsibility delegated by the board of education. Hence the first and most important responsibility of the board of education is a complete and comprehensive set of written policies giving the framework of authority assigned to its executive officer, the superintendent of schools. It is proper practice for the board of education to grant authority to its executive officer to represent it during the interim between board meetings on routine business management problems which can be handled within established policies.
 - (c) A person serving on a board of education should remember that he/she is only another citizen in the school district except when the governing board of the school district is in a regular or special meeting for the purpose of transacting business for the school district. Again he/she should remember that as a member of the board of education while it is in a meeting transacting the district's business he/she participates in determining the board's judgment but when the board as such adjourns he/she reverts to his/her status as a citizen of the school district and all acts of the board should be referred to by him/her as "the board of education in its meeting made this decision" without reference to persons or individuals who happen to be members of such board.
 - (d) If a board of education has not prescribed and written down its policies for its executive officer, then a point of departure would be to require the superintendent to furnish the leadership and secure the necessary consultative service to perfect such policies as would be sound in nature and functional for the management and operation of the district's business.

OAC 210:35-3-48. Local board responsibilities/staff relationships

- (a) The local board shall have the responsibility for the operation of the school, and for performance of their powers and duties as specified in statute. [[70 O.S. § 5-117](#)]
 - (1) The local board shall be responsible for developing and adopting effective policies for the operation of the school(s), which must include those policies required by statute. The staff, students, and community shall be involved in the development of the policies which relate to them. The local board's policies shall be prepared in printed form and shall be made available to staff, students, and community.
 - (2) The governing local board shall be responsible for the selection and evaluation of its chief executive officer who shall be the superintendent or other designated head of the school system.
 - (3) The local board and its individual members shall refrain from involvement in or interference with the administrative functions of the school.
 - (4) Individual board members shall not engage in transactions for the school or the district without prior and specific authorization of the entire board.
 - (5) Local board meetings shall be announced sufficiently in advance to give proper notice to board members, staff, and community.

2014-2015 Standards for Accreditation of Oklahoma Schools

(6) Prior to each local board meeting, the superintendent, in cooperation with the board, shall prepare an agenda for the meeting which is in compliance with the Oklahoma Open Meeting Act. Copies of the agenda shall be available to the public.

(7) Local board meetings shall be open to the public, except for executive sessions which shall be limited to topics prescribed by statute.

(8) The local board shall transact official business with professional staff members and other school employees only through the superintendent. The board shall adopt procedures which permit hearing viewpoints of the staff, students, and community during board meetings.

(A) All school equipment, books, and supplies purchased with federal funds shall be labeled or designated when delivered to the school. This labeling shall include the title of the Act and the year purchased.

(B) Lack of harmony in the teaching staff, board, or community, when such conditions affect the quality and effectiveness of instruction and climate of the school, shall be considered sufficient cause for not accrediting a school. Political and special interest groups or individuals shall not interfere in the operation of the schools.

(C) The local board of education shall adopt policies and procedures pertaining to admission, placement, promotion, retention, and graduation requirements for students which shall be disseminated to students and parents/guardians.

(D) For any instances in which the school charges tuition, as provided by law, the school shall have a policy, approved by the local board, regarding procedures to be used in the refunding of tuition if the student withdraws from the school.

(b) The Elementary superintendent will be responsible in an Elementary school district.

(1) The chief executive officer of an independent school district or Elementary superintendent of an Elementary school district shall be expected to attend all meetings of the board of education. The superintendent may be excused from a board meeting during the time his or her employment or salary is under consideration.

(2) The superintendent shall be responsible for developing and administering rules and procedures in accord with local board policies for proper operation of the schools. The staff, students, and community shall be involved, when appropriate, in the development of the rules and procedures which relate to them. The superintendent shall keep the local board informed of the status of all aspects of the school's operation.

(3) The superintendent shall be responsible for the selection, assignment, and evaluation of school employees, the management of the buildings and equipment, and the administration and supervision of the educational and communications program. The chief executive officer shall prepare, or have prepared, and submit annually for the board's consideration a budget of anticipated income and expenditures.

(c) The working relationships among the principal and the staff shall be such as to facilitate the effective administration and operation of the educational program.

(98)

70 O.S. § 6-101.6a - Provisions of Contracts for Employment – Restrictions on Inquiry
A. No contract for employment of, or related employee information worksheets for, a teacher, administrator or other school district personnel shall inquire of the applicant whether he or she has children or where the applicant plans to enroll his or her children if hired.

2014-2015 Standards for Accreditation of Oklahoma Schools

B. Beginning with the 2013-2014 school year, a school district board of education and administrator shall be prohibited from taking into consideration or making a condition of employment the enrollment status of an applicant's children.

(13)

70 O.S. § 5-106(A) - Governing Body of a School District

A. The governing board of each school district in Oklahoma is hereby designated and shall hereafter be known as the board of education of such district. Except as otherwise provided in this section, the superintendent of schools appointed and employed by the board shall be the executive officer of the board and shall perform duties as the board directs.

(03)

70 O.S. § 6-101(A), (E), (J) - Teachers - Contract

A. Except as provided in subsection E of this section, no person shall be permitted to teach in any school district of the state without a written contract, except as provided herein for substitute teachers and except teachers of classes in adult education. Except as provided in subsection J of this section, the board of education of each school district, wherein school is expected to be conducted for the ensuing year, shall employ and contract in writing with qualified teachers for and in the name of the district. One copy of the contract shall be filed with the clerk of the board of education and one copy shall be retained by the teacher.

E. A board of education shall have authority to enter into written contracts with teachers for the ensuing fiscal year prior to the beginning of such year. If, prior to the first Monday in June, a board of education has not entered into a written contract with a regularly employed teacher or notified the teacher in writing by registered or certified mail that a recommendation has been made not to reemploy the teacher for the ensuing fiscal year, and if, by fifteen (15) days after the first Monday in June, such teacher has not notified the board of education in writing by registered or certified mail that such teacher does not desire to be reemployed in such school district for the ensuing year, such teacher shall be considered as employed on a continuing contract basis and on the same salary schedule used for other

J. A board of education shall have authority to enter into written contracts for the ensuing fiscal year prior to the beginning of the year with persons who are not certified or licensed to teach by the State Board of Education as long as the person is actively in the process of securing certification or licensure. The person shall not be allowed to teach in a classroom until the person has met or completed all of the requirements for licensure or certification as provided for in [Section 6-190](#) of this title. If the person has not obtained valid certification or licensure by the first day of the ensuing school year, the contract shall be terminated.

(09)

70 O.S. § 5-141(D) - Adoption of Minimum Salary Schedule - Employment Contracts - Salary and Fringe Benefit Schedule

D. Each school district shall file within fifteen (15) days of signing the contract, the employment contract of the superintendent of the school district with the State Department of Education. The Department shall keep all contracts available for inspection by the public. The

2014-2015 Standards for Accreditation of Oklahoma Schools

school district shall not be authorized to pay any salary, benefits or other compensation to a superintendent which are not specified in the contract on file and shall not pay administrators any amounts for accumulated sick leave that are not calculated on the same formula used for determining payment for accumulated sick leave benefits for other full-time employees of that school district and shall not pay administrators any amounts for accumulated vacation leave benefits that are not calculated on the same formula used for determining payment for accumulated vacation leave benefits for other twelve-month full-time employees of that school district.

(10)

70 O.S. § 6-101.4 - Exercise of Powers and Duties of Superintendent in Elementary School Districts

The powers and duties set forth in [Section 6-101](#) et seq. of Title 70 of the Oklahoma Statutes for the superintendent of a school district shall be exercised by the elementary superintendent in elementary school districts.

(91)

70 O.S. § 5-138 - School Employees - Residence

No school district board of education shall require any employee to reside within the boundaries of that school district; however, a district board may establish a policy that may require the district superintendent to reside within the boundaries of the district.

(06)

ADDITIONAL STANDARDS FOR MIDDLE LEVEL SCHOOLS

OAC 210:35-7-21. Administrative and supervisory services

- (a) A middle level school shall include one or more grades in the fifth through ninth grade sequence. Any change in the organizational structure must have prior approval of the Accreditation Section of the State Department of Education.
- (b) If a middle level school is housed in the same building with the elementary grades or senior high school, a definite floor, wing, or section of the building shall be designated as the middle level school.
- (00)**



M

ADDITIONAL STANDARDS FOR SECONDARY SCHOOLS

OAC 210:35-9-21. Administrative and supervisory services

A high school may be a two, three, or four year school that includes at least two consecutive grades between 9 and 12 in its organization.

(92)



S

ADDITIONAL STANDARDS FOR CAREERTECH EDUCATION PROGRAMS IN COMPREHENSIVE SECONDARY SCHOOLS AND CAREER AND TECHNOLOGY SCHOOLS

OAC 210:35-11-21. Administrative and supervisory services



C

2014-2015 Standards for Accreditation of Oklahoma Schools

Students may enroll in *CareerTech* courses at the comprehensive high school or in the technology centers or both. The technology center curriculum is an extension of the high school for students currently enrolled in a high school. The technology center is a separate entity in that it also serves adult students.

- (1) All high school students shall be enrolled through a cooperative effort of sending comprehensive high schools and the technology center except in cases where the student's parent or guardian has provided an affidavit and sufficient evidence that he/she is participating in a home-schooled education plan in accordance with [70 O.S. § 10-105](#).
- (2) Student discipline and control shall be a cooperative effort between the comprehensive high school and the technology center. Each institution shall enforce rules and regulations in accordance with their board approved policies. Both institutions shall recognize the student's right to due process.
- (3) The comprehensive high school shall notify the technology center when students wish to withdraw from the technology center.
- (4) Attendance records and records of course work completed by a student in a technology center in Oklahoma shall be certified by the technology center to the sending school in which the student is regularly enrolled and shall be entered on the student's transcript according to the appropriate course title. These units of course work shall be counted toward meeting local and state requirements for graduation.
- (5) The standard school year shall consist of not less than 180 days. Courses offered in the technology center on the secondary level shall meet at least 175 days per school year and be accredited for three units. Comprehensive schools may elect to give the student four units of credit each year if the technology center class meets for a length of time equal to that where four units of credit are offered in the comprehensive school. Request for credit to be offered other than specified in the approved program of studies for career technology education must be made to and approved by the appropriate division of the Oklahoma Department of Career and Technology Education and the Accreditation Section of the State Department of Education.
- (6) Secondary career technology classes offered for credit outside the time frame of the regular school day shall meet the following criteria:
 - (A) The curriculum must be an accredited program and be taught by a certified instructor.
 - (B) Classes must meet a minimum of 60 hours for one-half unit or 120 hours for one unit of credit.
- (7) **Secondary Students**

Secondary *CareerTech* programs in the technology centers may be offered to secondary students. Students who are on an Individualized Education Program (IEP) may participate in the technology center program for up to four years within the parameters of current legislation. The maturity level of the student should be considered by the IEP team prior to enrolling a 9th grade student at the technology center.

(06)

STANDARD IV

CURRICULUM, INSTRUCTION, ASSESSMENT,

CLIMATE, AND GRADUATION REQUIREMENTS

In this standard:

- **CURRICULUM**
 - Translates school's philosophy/goals into learning objectives
 - Accessible to all students; Allows individualized development
 - Reflects needs and values of the community
 - Developed by professional staff, with input by the community
 - Broad in scope, incorporating:
 - Information Skills
 - Interrelationships among learning areas
 - Vertical and horizontal program articulation
 - Instructional staff input
- **AMERICAN SIGN LANGUAGE**
- **PHYSICAL EDUCATION**
 - Program requirements for elementary schools
 - Strongly encouraged for grades 6-12
 - Curriculum sequential and developmentally appropriate
 - Accommodates students of all ability levels
- **SCHOOL IMPROVEMENT PLAN**
- **INSTRUCTION**
 - Special services and materials for exceptional needs students
 - Placement in instructional skills groups reviewed and adjusted
 - Learning materials to avoid stereotyping racial and cultural groups
 - Individualized, competitive, and cooperative learning supported
 - Supplementary/alternative services based on individual need
 - Diversity of learning opportunities support different learning styles
- **ASSESSMENT**
 - Curriculum evaluated via performance indicators, progress criteria
 - Students to receive regular progress assessments, including:
 - Norm-referenced, criterion-referenced, and teacher-made tests
 - Alternative assessments
- **CLIMATE**
 - Conducive to learning; Activities to promote positive self-esteem
 - Handbook of school policies provided to students, parents, staff
 - School organizations and activities
- **PROGRAMS OF STUDY—to include physical education**
- **CURRICULUM STANDARDS and GRADUATION REQUIREMENTS**

STANDARD IV

CURRICULUM, INSTRUCTION, ASSESSMENT, CLIMATE, AND GRADUATION REQUIREMENTS



OAC⁴ 210:35:3-61. Statement of the standard

The curriculum translates the school's statement of philosophy (and/or mission) and goals into learning objectives and activities. The core curriculum shall be designed to teach competencies for which students shall be tested. The curriculum shall be designed to prepare all students for employment and/or postsecondary education. The school shall use varied measures to determine the extent to which individual students are achieving the goals and levels of competencies. The instructional program is designed to impart the knowledge and skills essential to function successfully in a democratic society. Instruction is based on the selection and implementation of activities which enable each student to achieve the goals and objectives of the curriculum. Curricular activities are learning activities within the instructional process that occur in an accredited course during the school day to assist students in achieving the Priority Academic Student Skills. The co-curricular activities are an integral part of instructional programs which foster the Priority Academic Student Skills that are consistent with the stated goals and objectives of the various disciplines. To accomplish these stated goals and objectives, selected activities may be offered off campus as an extension of classroom instruction. Extracurricular activities enhance the educational process but are not essential to the achievement of the Priority Academic Student Skills. (98)

OAC 210:35-3-66. Curriculum

- (a) Quality curriculum shall be accessible for all students.
- (b) The curriculum shall reflect the school's statement of philosophy (and/or mission) and goals.
- (c) The written curriculum shall include the state Priority Academic Student Skills.
- (d) The school shall provide an organizational structure and curriculum which allows each student to progress in accordance with her/his individual growth and development.
- (e) The curriculum shall reflect principles of human growth and development and the specific learning theories accepted by the school.
- (f) The curriculum shall reflect the needs, the goals, and the values of the community.
- (g) The curriculum shall utilize the resources of the community.
- (h) The curriculum shall be developed, evaluated, and revised by the professional staff, with the appropriate involvement by the community and the students.
- (i) The curriculum shall be broad in scope and shall provide a wide range in student rate, readiness, and potential for learning through a balanced program of skills and knowledge.
 - (1) Information Skills shall be integrated into the curriculum to facilitate the development of proficiency in locating, selecting, organizing and communicating information.
 - (2) The curriculum shall emphasize the interrelationships among areas of learning.

⁴ PLEASE NOTE: The Oklahoma Administrative Code is available online, but only permits linking to the front page. To view OAC material, click on the hyperlinked "OAC", then select "View Code" from the options at the left side of the screen. Select the appropriate Title (210 for State Department of Education), then chapter number and subchapter, until you have reached the desired code section.

2014-2015 Standards for Accreditation of Oklahoma Schools

(3) Procedures shall be established and implemented which foster vertical and horizontal program articulation (scope and sequence) with the school and within affiliated schools.

(4) The Priority Academic Student Skills shall be in writing and shall be available to parents and teachers. Such student skills shall be reviewed periodically and shall be utilized in assessing student performance on the Priority Academic Student Skills.

(5) The instructional staff members shall participate in the selection of appropriate content, methods, teaching materials, and learning activities used to achieve the Priority Academic Student Skills and the goals of the local school district and/or school site.

(98)

NOTE: FOR SPECIFIC CURRICULUM REQUIREMENTS, PLEASE REFER TO THE TEXT OF [70 O.S. §§ 11-103.1 \(ASL\)](#); [11-103.6 \(CORE CURRICULUM FOR HIGH SCHOOL\)](#); [11-103.9 \(PE\)](#).

70 O.S. § 11-103.1 American Sign Language – Teaching in Public School

American Sign Language is hereby recognized as a language art and may be taught in the public schools of the state in educational programs for both hearing and deaf students. American Sign Language classes taught in the public schools may be counted by a public school in fulfilling elective course offerings and shall be granted the same credit as a foreign language. For the purposes of this section, American Sign Language may be taught in the public schools by any qualified teacher under the supervision of a certified teacher.

(99)

70 O.S. § 11-103.9 Physical Education Programs

A. Except as otherwise provided for in this section, the State Board of Education shall require, as a condition of accreditation, that school districts provide to all students physical education programs which may include athletics.

B. The Board shall require, as a condition of accreditation, that public elementary schools provide instruction, for students in full-day kindergarten and grades one through five, in physical education or exercise programs for a minimum of an average of sixty (60) minutes each week. The time students participate in recess shall not be counted toward the sixty-minutes-per-week physical education requirement. Schools may exclude from participation in the physical education or exercise programs required in this subsection those students who have been placed into an in-house suspension or detention class or placement or those students who are under an in-school restriction or are subject to an administrative disciplinary action.

C. The Board shall require, as a condition of accreditation, that public elementary schools provide to students in full-day kindergarten and grades one through five, in addition to the requirements set forth in subsection B of this section, an average of sixty (60) minutes each week of physical activity, which may include, but not be limited to, physical education, exercise programs, fitness breaks, recess, and classroom activities, and wellness and nutrition education. Each school district board of education shall determine the specific activities and

2014-2015 Standards for Accreditation of Oklahoma Schools

means of compliance with the provisions of this subsection, giving consideration to the recommendations of each school's Healthy and Fit Schools Advisory Committee as submitted to the school principal pursuant to the provisions of [Section 24-100a](#) of this title.

D. The Board shall disseminate information to each school district on the benefits of physical education programs and shall strongly encourage districts to provide physical education instruction to students in grades six through twelve. The Board shall also strongly encourage school districts to incorporate physical activity into the school day by providing to students in full-day kindergarten and grades one through five at least a twenty-minute daily recess, which shall be in addition to the sixty (60) minutes of physical education as required by subsection B of this section, and by allowing all students brief physical activity breaks throughout the day, physical activity clubs, and special events.

E. School districts shall provide to parents or guardians of students a physical activity report. The report shall be provided to parents and guardians at least annually and shall include:

- 1. A summary on how physical activity is being incorporated into the school day;*
- 2. A summary of the types of physical activities the students are exposed to in the physical education programs;*
- 3. Suggestions on monitoring the physical activity progress of a child and how to encourage regular participation in physical activity; and*
- 4. Information on the benefits of physical education and physical activity.*

F. Instruction in physical education required in this section shall be aligned with the Priority Academic Student Skills as adopted by the Board.

G. The physical education curriculum shall be sequential, developmentally appropriate, and designed, implemented, and evaluated to enable students to develop the motor and self-management skills and knowledge necessary to participate in physical activity throughout life. Each school district shall establish specific objectives and goals the district intends to accomplish through the physical education curriculum.

H. In identifying the essential knowledge and skills, the State Board of Education shall ensure that the Priority Academic Student Skills for physical education:

- 1. Emphasizes the knowledge and skills capable of being used during a lifetime of regular physical activity;*
- 2. Is consistent with national physical education standards for:
 - a. the information that students should learn about physical activity, and*
 - b. the physical activities that students should be able to perform;**
- 3. Requires that, on a weekly basis, at least fifty percent (50%) of the physical education class be used for actual student physical activity and that the activity be, to the extent practicable, at a moderate or vigorous level;*
- 4. Offers students an opportunity to choose among many types of physical activity in which to participate;*
- 5. Offers students both cooperative and competitive games;*

2014-2015 Standards for Accreditation of Oklahoma Schools

6. Meets the needs of students of all physical ability levels, including students who have a disability, chronic health problem, or other special need that precludes the student from participating in regular physical education instruction but who might be able to participate in physical education that is suitably adapted and, if applicable, included in the student's individualized education program;
7. Teaches self-management and movement skills;
8. Teaches cooperation, fair play, and responsible participation in physical activity;
9. Promotes student participation in physical activity outside of school; and
10. Allows physical education classes to be an enjoyable experience for students.

I. The Board shall adopt rules to implement the provisions of this section. (10)

70 O.S. § 5-117.4(A) School Improvement Plan – Submit to State Board of Education

A. Each local board of education shall, after convening an advisory council that includes teachers and parents, and after holding at least one public hearing, adopt a six-year school improvement plan for the district. Each school improvement plan shall include stated goals that clearly delineate educational expectations, and shall be annually monitored and updated as necessary. The alternative education plan for the school district as required in subsection B of Section [1210.566](#) of this title shall be included in the school improvement plan. The plan shall also include a specific program of improvement through academic skill reinforcement and/or remediation pursuant to the provisions of the Oklahoma School Testing Program Act. The plan shall include an evaluation of the instructional program in the basic skills areas as specified in paragraphs 1 and 2 of subsection A of Section [11-103](#) of this title and specific plans whereby schools within the district will initiate the planning process of meeting or exceeding the accreditation requirements in Section [3-104.4](#) of this title. The six-year school improvement plan shall include a consideration of the feasibility of participation in any programs which consist of state exemption from educational-related statutes or rules.

(12)

OAC 210:35-3-67. Instruction

- (a) Special instruction, services, materials, and testing programs shall be available for those students having exceptional needs.
- (b) The overall educational program shall incorporate high expectations and successful experiences for all students.
- (c) Students and parents shall be informed about the Priority Academic Student Skills for the core curriculum areas.
- (d) The placement of students in instructional skill groups within classes shall be reviewed frequently and adjustments shall be made in accordance with student needs and Priority Academic Student Skills performance.
- (e) All instructional/learning materials shall be selected with consideration for the appropriate treatment of racial, ethnic, and cultural groups and the avoidance of stereotyping.
- (f) Appropriate instructional materials and equipment for core curriculum areas shall be provided in the amount and types needed to ensure that all students demonstrate competency in the Priority Academic Student Skills.

2014-2015 Standards for Accreditation of Oklahoma Schools

- (g) Students and parents shall be informed in writing about their rights and responsibilities pertaining to the school curriculum.
- (h) The school shall protect the legal rights of students and parents as those rights relate to the curriculum.
- (i) Instructional methods shall provide for cooperative group learning in addition to competitive and individualized learning formats.
- (j) Learning activities and assessment procedures shall be congruent with the Priority Academic Student Skills.
- (k) Learning activities shall be supported by supplementary or alternative instructional services as required by individual student needs.
- (l) Teacher/student interaction shall be utilized in planning of instructional options for learning activities.
- (m) All activities to teach Priority Academic Student Skills shall provide for the different learning styles of students by including a diversity of appropriate learning opportunities.
- (n) Learning activities shall provide for the use of a variety of instructional materials and equipment.
- (o) Teachers shall use classroom practices which make the most productive use of class time.
- (p) The school's administrators shall enforce procedures and regulations which protect student learning time. **(94)**

OAC 210:35-3-68. Assessment

- (a) The principal, teachers, and parents shall be responsible for assessing the effectiveness of the curriculum and for planning improvement of the curriculum.
- (b) Students shall receive regular and frequent assessment of their progress toward achievement of Priority Academic Student Skills. [[70 O.S. § 1210.505](#)]
- (c) The school shall evaluate the major aspects of its curriculum through use of performance indicators and criteria for monitoring student progress. [[70 O.S. § 1210.508](#)]
- (d) Evaluation data derived from a variety of measures shall include information on:
 - (1) Student achievement
 - (2) School climate
 - (3) Expectations of parents
- (e) Student achievement data shall include, when appropriate:
 - (1) Norm-referenced tests
 - (2) Criterion-referenced tests
 - (3) Teacher-made tests
 - (4) *CareerTech* assessments
 - (5) College admission and placement tests
 - (6) *Alternative assessments*
- (f) A variety of assessments shall be used to evaluate the performance of each student in order to improve instruction.
- (g) The school shall provide diagnostic and prescriptive services for special class placement of exceptional students.

2014-2015 Standards for Accreditation of Oklahoma Schools

- (h) The result of the school's student assessment program shall be used to modify curriculum and instructional methodology. *The assessment program shall include criterion and, where appropriate, norm-referenced and end-of-instruction tests.* [[70 O.S. § 1210.508](#)]
- (i) The school shall make appropriate use of follow-up information concerning its former students to assist in the assessment and improvement of the curriculum.
- (j) Through written reports and individual conferences, parents shall be informed frequently and regularly about student progress. **(06)**

OAC 210:35-3-69. Climate

- (a) The school climate shall be conducive to learning.
- (b) The school staff shall assess its climate, share the results of the assessment with the staff, and have a plan for maintaining an atmosphere that is responsive to the needs of the students.
- (c) There shall be activities within the school that provide for and/or facilitate the positive self-esteem of students and staff members.
- (d) The school shall provide appropriate opportunities for involving students, parents, staff members, and community representatives in decision-making.
- (e) The school shall assist parents in developing those skills and attitudes necessary for helping their children succeed in school.
- (f) The school shall provide a handbook for students, parents, and teachers which includes information on such matters as homework policies, behavior codes, grading policies, and other kinds of information important to students, parents, guardians, and staff members. The behavior code shall be developed with the appropriate involvement of students, staff, and parents.
- (g) The school shall provide organizations, activities, and leadership groups that offer opportunities for recognition of student accomplishments.
- (h) Parents shall receive regular and frequent communication from the school. Other members of the community shall be kept informed about school activities.
- (i) The school shall have procedures to address absenteeism, vandalism, and disruptive student behavior. [[70 O.S. § 24-100.4](#), [70 O.S. § 24-102](#), [70 O.S. § 24-101.1](#)]
- (j) Students shall be appropriately involved in the development and monitoring of the school's rules of conduct and scholarship standards. **(98)**

OAC 210:35-5-31. Programs of Study

- (a) School districts are required to provide physical education programs to all students. These programs may include athletics.
- (b) Public elementary schools must provide instruction in physical education for all students in full-day kindergarten through Grade 5 for an average of 60 minutes per week.
- (c) *Beginning with the 2008-2009 school year, the Board shall require, as a condition of accreditation, that public elementary schools provide to students in full-day kindergarten and grades one through five, in addition to the requirements set forth in subsection b of this section, an average of sixty (60) minutes each week of physical activity, which may*

2014-2015 Standards for Accreditation of Oklahoma Schools

include, but not be limited to, physical education, exercise programs, fitness breaks, recess, and classroom activities, and wellness and nutrition education. Each school district board of education shall determine the specific activities and means of compliance with the provisions of this subsection, giving consideration to the recommendations of each school's Healthy and Fit Schools Advisory Committee as submitted to the school principal. Schools may exclude from participation in the physical education or exercise programs required in this subsection those students who have been placed into an in-house suspension or detention class or placement or those students who are under an in-school restriction or are subject to an administrative disciplinary action.

[70 O.S. § 11-103.9]

- (d) Physical education instruction must be aligned with the Priority Academic Student Skills (PASS). (09)

ADDITIONAL STANDARDS FOR SECONDARY SCHOOLS

OAC 210:35-9-31. Program of studies and graduation requirements

(a) General provisions. Every student at every high school shall have the opportunity to acquire all the competencies to matriculate at a comprehensive graduate institution of the Oklahoma State System of Higher Education without the necessity of enrolling at the university in secondary-level courses. Each student will have the opportunity to attain proficiency in the Priority Academic Student Skills.

(b) Definitions. The following definitions shall apply to this subsection:

"Contextual methodology" means academic content and skills taught by utilizing realworld problems and projects in a way that helps students understand the application of that knowledge.

"Courses approved for college admission requirements" means courses which are approved by the Oklahoma State Regents for Higher Education for admission to an institution within the Oklahoma State System of Higher Education.

"Qualified agricultural courses" means courses that have been determined by the State Board of Education to offer the sets of competencies set forth in the Oklahoma Academic Standards for one or more science content areas and which correspond to academic science courses and are taught by teacher who is certified and considered "highly qualified" to teach in the science course taught. Qualified agricultural education courses shall include, but are not limited to, Horticulture, Plant and Soil Science, Natural Resources and Environmental Science, and Animal Science.

"Rigor" means a level of difficulty that is appropriate for the grade level and that meets state and/or national standards;

"Sets of competencies" means instruction in those skills and competencies that are specified skills and competencies adopted by the State Board of Education without regard to specified instructional time;

"Unit" means a Carnegie Unit which is given for the successful completion of a course that meets the equivalent of 120 clock hours within the school year.

(c) Total minimum graduation requirements. In order to graduate with a standard diploma from a public high school accredited by the State Board of Education, students

2014-2015 Standards for Accreditation of Oklahoma Schools

shall complete twenty-three (23) units or sets of competencies in grades nine (9) through twelve (12), which shall include either:

(1) Seventeen (17) units or sets of competencies of the college preparatory/work ready curriculum requirements set forth in (d) of this Section, plus six (6) elective units or sets of competencies; or

(2) Fifteen (15) units or sets of competencies of the core curriculum requirements set forth in (e) of this Section, plus eight (8) elective units or sets of competencies.

(d) College preparatory/work ready curriculum requirements. In order to graduate with a standard diploma from a public high school accredited by the State Board of Education, students shall complete the following college preparatory/work ready curriculum units or sets of competencies at the secondary level:

~~(1) Effective with the school year 2000-2001 through 2001-2002 a high school student must demonstrate competency in at least 21 units of credit or sets of competencies in Grades 9-12 which must include the state-mandated curriculum (Priority Academic Student Skills) and meet all other state and local mandates to be eligible for graduation.~~

~~(A) Language Arts: 4 units or sets of competencies~~

~~(B) Science: 2 units or sets of competencies~~

~~(C) Mathematics: 3 units or sets of competencies~~

~~(D) Social Studies: 2 units or sets of competencies (must include American History and Oklahoma History)~~

~~(E) The Arts: 2 units or sets of competencies (Visual Art and General Music)~~

~~(F) Total minimum Core Curriculum: 13 units or sets of competencies~~

~~(G) Total minimum Elective courses: 8 units or sets of competencies~~

~~(H) Total minimum graduation requirements: 21 units or sets of competencies~~

~~(2) Beginning with students graduating from high school in the school year 2002-2003, graduation requirements specified in subsection (1) of this section are superseded by requirements specified in this subsection. Units of credit required for high school graduation with a Standard Diploma (effective 2002-2003 and thereafter) are:~~

(1) Four (4) units or sets of competencies of English to include:

(A) Grammar;

(B) Composition;

(C) Literature; or

(D) Any English course approved for college admission requirements;

(2) Three (3) units or sets of competencies of mathematics, limited to:

(A) Algebra I;

(B) Algebra II;

(C) Geometry;

(D) Trigonometry;

(E) Math Analysis;

(F) Calculus;

(G) Advanced Placement Statistics; or

2014-2015 Standards for Accreditation of Oklahoma Schools

(H) Any mathematics course with content and/or rigor above Algebra I and approved for college admission requirements;

(3) Three (3) units or sets of competencies of laboratory science, limited to:

(A) Biology;

(B) Chemistry;

(C) Physics; or

(D) Any laboratory science course with content and/or rigor equal to or above Biology and approved for college admission requirements;

(4) Three (3) units or sets of competencies of history and citizenship skills, including:

(A) One (1) unit of American History;

(B) One-half (1/2) unit of Oklahoma History;

(C) One-half (1/2) unit of United State Government; and

(D) One (1) unit of a course that has been approved for college admission requirements in one of the following subjects:

(i) History;

(ii) Government;

(iii) Geography;

(iv) Economics;

(v) Civics; or

(vi) Non-Western culture;

(5) Two (2) units or sets of competencies in one (1) of the following:

(A) Two (2) units of the same foreign, Native American, or non-English language; or

(B) Two (2) units of computer technology approved for college admission requirements, whether taught at a high school or a technology center school, including:

(i) Computer programming;

(ii) Computer hardware;

(iii) Business computer applications (excluding keyboarding or typing courses) such as:

(I) Word processing;

(II) Databases;

(III) Spreadsheets;

(IV) Graphics;

(6) One (1) additional unit or set of competencies selected from:

(A) The categories of units or sets of competencies set forth in (1) through (5) of this subsection; or

(B) Career and technology courses approved for college admission requirements;

(7) One (1) unit or set of competencies of

(A) Fine arts such as music, art, or drama; or

(B) Speech.

(e) Core curriculum requirements in lieu of college/work ready curriculum requirements.

2014-2015 Standards for Accreditation of Oklahoma Schools

Upon written approval of the parent or legal guardian of a student, a student may enroll in the core curriculum requirements in lieu of the college/work ready curriculum requirements set forth in (d) of this Section. The fifteen (15) units of credit required for high school graduation with a standard diploma in accordance with the provisions of this subsection are:

- (A) Language Arts: Four (4) units or sets of competencies, to consist of:
- (i) One (1) unit or set of competencies of grammar and composition; and
 - (ii) Three (3) units or sets of competencies which may include, but are not limited to, the following courses:
 - (I) American Literature;
 - (II) English Literature;
 - (III) World Literature; or;
 - (IV) Advanced English Courses; or
 - (V) Any other English courses with content and/or rigor equal to or above grammar and composition;
- (B) Mathematics: Three (3) units or sets of competencies, to consist of:
- (i) One (1) unit or set of competencies of Algebra I or Algebra I taught in a contextual methodology; and
 - (ii) Two (2) units or sets of competencies which may include, but are not limited to, the following courses:
 - (I) Algebra II;
 - (II) Geometry or Geometry taught in a contextual methodology;
 - (III) Trigonometry;
 - (IV) Math Analysis or Precalculus;
 - (V) Calculus;
 - (VI) Statistics and/or Probability;
 - (VII) Computer Science, if taught by a teacher who is certified to teach mathematics; ~~or~~
 - (VIII) Other contextual mathematics courses which enhance technology preparation taught at a comprehensive high school;
 - (IX) Other contextual mathematics courses which enhance technology preparation taught at a technology center school by a teacher certified in the secondary subject area, when taken in the eleventh (11th) or twelfth (12th) grade, and approved by the State Board of Education and the independent district board of education; or
 - (X) Any other mathematics courses with content and/or rigor equal to or above Algebra I. ~~Provided credit may be granted for Applied Mathematics I and II and Computer Science whether taught at the comprehensive high school or at a career and technology center;~~
- (C) Science: Three (3) units or sets of competencies, to consist of:
- (i) One (1) unit or set of competencies of Biology I or Biology I taught in a contextual methodology; and

2014-2015 Standards for Accreditation of Oklahoma Schools

(ii) Two (2) units or sets of competencies in the areas of life, physical, or earth science or technology which may include, but are not limited to, the following courses:

(I) Chemistry I;

(II) Physics;

(III) Biology II;

(IV) Chemistry II;

(V) Physical Science;

(VI) Earth Science;

(VII) Botany;

(VIII) Zoology;

(IX) Physiology;

(X) Astronomy;

(XI) Applied Biology/Chemistry;

(XII) Applied Physics;

(XIII) Principles of Technology;

(XIV) ~~qualified~~ Qualified agricultural education courses; or

(XV) Other contextual science courses which enhance technology preparation taught at a comprehensive high school;

(XVI) Other contextual science courses which enhance technology preparation taught at a technology center school when taken in the eleventh (11th) or twelfth (12th) grade, taught by a certified teacher, and approved by the State Board of Education and the independent district board of education;

(XV) ~~other~~ Other science courses with content and/or rigor equal to or above Biology I. ~~Provided, credit may be granted for Applied Biology/Chemistry, Physics, and Principles of Technology whether taught at the comprehensive high school or at a career and technology center;~~

(D) Social Studies: Three (3) units or sets of competencies, to consist of:

(i) One (1) unit or set of competencies of United States History;

(ii) One-half (1/2) to one (1) unit or set of competencies of United States Government;

(iii) One-half (1/2) unit or set of competencies of Oklahoma History; and

(iv) One-half (1/2) to one (1) unit or set of competencies which may include, but are not limited to, the following courses:

(I) World History;

(II) Geography;

(III) Economics;

(IV) Anthropology; or

(V) ~~other~~ Other social studies courses with content and/or rigor equal to or above United States History, United States Government, and Oklahoma History; and

(E) Arts: Two (2) units or sets of competencies which may include, but are not limited to, courses in Visual Arts and General Music.

2014-2015 Standards for Accreditation of Oklahoma Schools

~~(F)(f) Personal Financial Literacy Passport. **Other curriculum requirements.** In addition to the curriculum requirements set forth in (c) through (e) of this subsection, each secondary school shall ensure that the following curriculum requirements are met:~~

~~(i)(1) **Personal Financial Literacy Passport.** Effective with the 2008-2009 school year and beginning Beginning with the seventh grade, students shall fulfill the requirements for a Personal Financial Literacy Passport in order to graduate with a standard diploma from a public high school accredited by the State Board of Education, with a standard diploma.~~

~~(A) The requirements for a Personal Financial Literacy Passport shall be the satisfactory completion and demonstration of satisfactory knowledge in all fourteen (14) areas of instruction during grades seven (7) through twelve (12). The fourteen (14) areas of instruction are:~~

~~(I)(i) understanding Understanding interest, credit card debt, and online commerce;~~

~~(II)(ii) rights Rights and responsibilities of renting or buying a home;~~

~~(III)(iii) savings Savings and investing;~~

~~(IV)(iv) planning Planning for retirement;~~

~~(V)(v) bankruptcy Bankruptcy;~~

~~(VI)(vi) banking Banking and financial services;~~

~~(VII)(vii) balancing Balancing a checkbook;~~

~~(VIII)(viii) understanding Understanding loans and borrowing money, including predatory lending and payday loans;~~

~~(IX)(ix) understanding Understanding insurance;~~

~~(X)(x) identity Identity fraud and theft;~~

~~(XI)(xi) charitable Charitable giving;~~

~~(XII)(xii) understanding Understanding the financial impact and consequences of gambling;~~

~~(XIII)(xiii) earning Earning an income; and~~

~~(XIV)(xiv) understanding Understanding state and federal taxes.~~

~~(ii)(B) Instruction in these fourteen areas must align and meet the Personal Financial Literacy Priority Academic Student Skills (PASS) academic standards as adopted by the Oklahoma State Board of Education.~~

~~(iii)(C) School districts shall have the option of determining when each of the fourteen (14) areas of instruction listed above shall be presented to students in Grades 7-12 grades seven (7) through twelve (12). Options include:~~

~~(i) Integration integration into one or more existing courses of study;~~

~~(ii) A a separate Personal Financial Literacy course; and/or~~

~~(iii) Use use of State Department of Education Personal Financial Literacy online modules of learning.~~

~~(D) The Oklahoma State Department of Education online modules of learning and the assessments shall be available to all students as determined by the local school district.~~

~~(iv)(E) In order to facilitate the monitoring of student progress towards achieving the Personal Financial Literacy Passport, districts shall maintain a Personal Financial Literacy Passport cumulative record. The Personal~~

2014-2015 Standards for Accreditation of Oklahoma Schools

Financial Literacy Passport cumulative record shall be a uniform document used by all school districts within the state. The State Department of Education shall provide an electronic version of the Personal Financial Literacy Passport cumulative record to the districts. Completion of the fourteen (14) areas of instruction of Personal Financial Literacy shall be documented on the student's high school transcript. The Personal Financial Literacy Passport cumulative record shall accompany the student when transferring to a new district.

~~(v)(F) Elementary Dependent~~ districts, PK-8, may enter into a vertical articulated curriculum agreement with an independent district, PK-12, for facilitating and sharing of the personal financial literacy curriculum and instruction.

~~(vi)(G) Teachers providing instruction in personal financial literacy shall be certified. In accordance with the provisions of the *Passport to Financial Literacy Act* at [70 O.S. § 11-103.6h](#).~~

(H) School districts shall assess the knowledge of all students who transfer into an Oklahoma school district from out of state after the seventh grade.

(i) If the school district determines that the transferred student has successfully completed instruction in any or all of the areas of personal financial literacy instruction at the previous school in which the student was enrolled, or if the student demonstrates satisfactory knowledge of any or all of the areas of personal financial literacy instruction through an assessment approved by the State Department of Education, the school district may exempt the student from completing instruction in that area of personal financial literacy instruction.

(ii) Students who transfer into an Oklahoma school district from out of state after the junior year of high school may be granted an exception from the requirements of the personal financial literacy passport in accordance with the provisions of [70 O.S. § 11-103.6](#).

~~(G) Total minimum Core Curriculum: 15 units or sets of competencies~~

~~(H) Total minimum Elective courses: 8 units or sets of competencies~~

~~(I) Total minimum graduation requirements: 23 units or sets of competencies~~

(2) **Recommended curriculum.** School districts shall strongly encourage students to complete two units or sets of competencies of foreign languages and two units or sets of competencies of physical and health education.

(3) **Credit toward graduation requirements.** Credits for meeting curriculum requirements toward graduation shall be determined in accordance with all of the following provisions:

(A) No student shall receive credit for high school graduation more than once for completion of the same unit or set of competencies to satisfy the core curriculum requirements.

2014-2015 Standards for Accreditation of Oklahoma Schools

(B) Credit for all units or sets of competencies required in (d) and (e) of this Section shall be given when such units or sets of competencies are taken prior to ninth (9th) grade if:

(i) The teachers are certified or authorized to teach the subjects for high school credit; and

(ii) The required rigor of the course is maintained.

(C) Notwithstanding the provisions of (3)(B) of this subsection, the three units or sets of competencies in mathematics required in (d) or (e) of this Section shall be completed in the ninth (9th) through twelfth (12th) grades. If a student completes any required courses or sets of competencies in mathematics prior to ninth grade, the student may take any other mathematics courses or sets of competencies to fulfill the requirement to complete three (3) units or sets of competencies in grades nine (9) through twelve (12) after the student has satisfied the requirements of subsection (d) or (e) of this Section.

(D) Successful completion of an alternative assessment set forth in 210:10-13-16(b)(7)-(8) shall not constitute a basis for awarding a student credit for any course in which a student has failed the end-of-instruction exam and failed to attend in accordance with local district attendance policies.

(4) **Achieving Classroom Excellence Act.** The curriculum requirements for graduation set forth in (c) through (f) of this Section and [70 O.S. § 11-103.6](#) are in addition to and separate from the requirements of the Achieving Classroom Excellence Act set forth at [70 O.S. § 1210.523](#) and the accompanying regulation at 210:10-13-16. Students must fulfill the applicable requirements (or, in some cases, qualify for applicable exceptions or exemptions) of both statutes to be eligible to be awarded a standard diploma.

(g) **Additional accreditation requirements.** In addition to the curriculum requirements set forth in (c) through (f) of this Section, all public school districts shall ensure that its schools' secondary programs are designed to meet all of the following requirements:

~~(3) No student shall receive credit for high school graduation more than once for completion of the same unit or set of competencies to satisfy the core curriculum requirements.~~

~~(4) "Qualified agricultural courses" means courses that have been determined by the State Board of Education to offer the sets of competencies in the Priority Academic Student Skills (PASS) for one or more science content areas and which correspond to academic science courses. Qualified agricultural education courses shall include, but are not limited to, Horticulture, Plant and Soil Science, Natural Resources and Environmental Science, and Animal Science.~~

~~(5) A "unit" means a Carnegie Unit which is given for the successful completion of a course that meets the equivalent of 120 clock hours within the school year.~~

~~(6)~~(1) As a condition of receiving accreditation from the State Board of Education, all school districts shall require all students in grades nine (9) through twelve (12) shall to enroll in a minimum of six periods, or the equivalent in block scheduling or other scheduling structure that allows for instruction in sets of competencies, of rigorous academic and/or rigorous vocational courses each day, which may include

2014-2015 Standards for Accreditation of Oklahoma Schools

arts, vocal and instrumental music, speech classes, and physical education classes. However, students re-enrolled in high school solely for the purpose of receiving ACE remediation in accordance with the provisions of 210:10-13-16(g) shall be exempt from this requirement.

~~(7)(2)~~ Each high school's academic program shall be designed to prepare all students for employment and/or postsecondary education. The secondary academic program shall be designed to provide the teaching and learning of the skills and knowledge in the Priority Academic Student Skills. ~~Beginning with 1999-2000 school year all~~ All high schools accredited by the State Department of Education shall offer the ~~core~~ college preparatory/work ready curriculum required for the Standard Diploma during a ~~student's high school career~~ students to earn a standard diploma during grades nine (9) through twelve (12). To meet graduation requirements, local options may include courses taken by advanced placement, concurrent enrollment, correspondence courses, supplemental online courses, or courses bearing different titles.

~~(8)(3)~~ The secondary academic programs may also provide the traditional units of credit to be offered in ~~Grades 9-12~~ grades nine (9) through twelve (12) with each secondary school offering and teaching at least thirty-eight (38) units or their equivalent each school year. Four (4) of these units may be offered on a two-year alternating plan with thirty-four (34) units or their equivalent to be taught in the current school year. In schools with other than a four-year organization, these units shall be offered and taught in conjunction with the affiliated schools containing those grade levels. Career and technology center courses in which secondary students are enrolled may count toward the thirty-eight (38) required units of credit or their equivalent.

~~(9)(4)~~ District boards of education can make exceptions to state high school graduation curriculum requirements for students who move to this state from another state after their junior year of high school.

(A) After a student from another state enrolls in an accredited Oklahoma high school the school board can make an exception to the high school graduation curriculum requirements of ~~Section 11-103.6 of Title 70 of the Oklahoma Statutes~~ 70 O.S. §11-103.6. Individual exceptions can only be made when there are differing graduation requirements between the two states and completing Oklahoma graduation requirements will extend the student's date of graduation beyond the graduation date for the student's class.

(B) The district must report all exceptions made to state graduation requirements for these senior students to the State Department of Education each school year. All exceptions made at each district high school will be forwarded to the State Department of Education on or before July 1 of each year. Districts may report the information on the Annual Statistical Report. This reporting provision does not include students who have individualized education programs pursuant to the Individuals with Disabilities Education Act (IDEA) and who satisfy graduation requirements through the individualized education program.

2014-2015 Standards for Accreditation of Oklahoma Schools

~~(10)~~(5) In order for a course offered by a supplemental educational organization to be counted for purposes of student academic credit and towards graduation requirements, the local board of education must verify that the course meets all requirements in [70 O.S. § 11- 103.6](#). ~~(11)~~Upon verification, the local school board of education's request for course approval shall be submitted to the State Board of Education for final approval. (14)

REFER TO THE TEXT OF **70 O.S. § 11-103.6** BELOW FOR SPECIFIC CURRICULUM REQUIREMENTS.

[70 O.S. § 11-103.6](#) **Curricular Standards for Instruction of Students in Public Schools**

- A. 1. The State Board of Education shall adopt ~~curricular~~ *subject matter* standards for instruction of students in the public schools of this state that are necessary to ensure there is attainment of desired levels of competencies in a variety of areas to include language, mathematics, science, social studies and communication. 2. School districts shall develop and implement curriculum, courses and instruction in order to ensure that students meet the skills and competencies as set forth in this section and in the subject matter standards adopted by the State Board of Education. 3. All students shall gain literacy at the elementary and secondary levels ~~through a core curriculum~~. Students ~~must~~ *shall* develop skills in reading, writing, speaking, computing and critical thinking. For purposes of this section, critical thinking means a manner of analytical thinking which is logical and uses linear factual analysis to reach a conclusion. They also ~~must~~ *shall* learn about cultures and environments - their own and those of others with whom they share the earth. Students, therefore, ~~must~~ *shall* study social studies, literature, languages, the arts, mathematics and science. Such curricula shall provide for the teaching of a hands-on career exploration program in cooperation with technology center schools. ~~The core curriculum~~ 4. The subject matter standards shall be designed to teach the competencies for which students shall be tested as provided in [Section 1210.508](#) of this title, and shall be designed to prepare all students for *active citizenship, employment and/or successful completion of postsecondary education without the need for remedial coursework at the postsecondary level.* 5. The subject matter standards shall be designed with rigor as defined in paragraph 3 of subsection F of this section. 6. The subject matter standards for English Language Arts shall give Classic Literature and nonfiction literature equal consideration to other literature. In addition, emphasis shall be given to the study of complete works of literature. 7. At a minimum, the subject matter standards for mathematics shall require mastery of the standard algorithms in mathematics, which is the most logical, efficient way of solving a problem that consistently works, and for students to attain fluency in Euclidian geometry.

- B. Subject to the provisions of subsection C of this section, in order to graduate from a public high school accredited by the State Board of Education with a standard diploma, students shall complete the following college preparatory/work ready curriculum units or sets of competencies at the secondary level:
1. Four units or sets of competencies of English to include Grammar, Composition, Literature, or any English

2014-2015 Standards for Accreditation of Oklahoma Schools

course approved for college admission requirements; 2. Three units or sets of competencies of mathematics, limited to Algebra I, Algebra II, Geometry, Trigonometry, Math Analysis, Calculus, Advanced Placement Statistics, or any mathematics course with content and/or rigor above Algebra I and approved for college admission requirements;

3. Three units or sets of competencies of laboratory science, limited to Biology, Chemistry, Physics, or any laboratory science course with content and/or rigor equal to or above Biology and approved for college admission requirements; 4.

Three units or sets of competencies of history and citizenship skills, including one unit of American History, 1/2 unit of Oklahoma History, 1/2 unit of United States Government and one unit from the subjects of History, Government, Geography, Economics, Civics, or ~~Non-Western~~ non-Western culture and approved for college admission requirements;

5. Two units or sets of competencies of the same foreign or non-English language or two units of computer technology approved for college admission requirements, whether taught at a high school or a technology center school, including computer programming, hardware, and business computer applications, such as word processing, databases, spreadsheets, and graphics, excluding keyboarding or typing courses;

6. One additional unit or set of competencies selected from paragraphs 1 through 5 of this subsection or career and technology education courses approved for college admission requirements; and

7. One unit or set of competencies of fine arts, such as music, art, or drama, or one unit or set of competencies of speech.

C. In lieu of the requirements of subsection B of this section which requires a college preparatory/work ready curriculum, a student may enroll in the core curriculum as provided in subsection D of this section upon written approval of the parent or legal guardian of the student. School districts may require a parent or legal guardian of the student to meet with a designee of the school prior to enrollment in the core curriculum. The State Department of Education shall develop and distribute to school districts a form suitable for this purpose, which shall include information on the benefits to students of completing the college preparatory/work ready curriculum as provided for in subsection B of this section.

D. For those students subject to the requirements of subsection C of this section, in order to graduate from a public high school accredited by the State Board of Education with a standard diploma, students shall complete the following core curriculum units or sets of competencies at the secondary level:

1. Language Arts – 4 units or sets of competencies, to consist of 1 unit or set of competencies of grammar and composition, and 3 units or sets of competencies which may include, but are not limited to, the following courses:

a. American Literature,

b. English Literature,

2014-2015 Standards for Accreditation of Oklahoma Schools

- c. *World Literature,*
- d. *Advanced English Courses, or*
- e. *other English courses with content and/or rigor equal to or above grammar and composition;*

2. *Mathematics – 3 units or sets of competencies, to consist of 1 unit or set of competencies of Algebra I or Algebra I taught in a contextual methodology, and 2 units or sets of competencies which may include, but are not limited to, the following courses:*

- a. *Algebra II,*
- b. *Geometry or Geometry taught in a contextual methodology,*
- c. *Trigonometry,*
- d. *Math Analysis or Precalculus,*
- e. *Calculus,*
- f. *Statistics and/or Probability,*
- g. *Computer Science,*
- h. *(1) contextual mathematics courses which enhance technology preparation, or*
(2) a science, technology, engineering and math (STEM) block course meeting the requirements for course competencies listed in paragraph 2 of subsection B of this section, whether taught at a:
 - (1) (a) comprehensive high school, or*
 - (2) (b) technology center school when taken in the tenth, eleventh or twelfth grade, taught by a certified teacher, and approved by the State Board of Education and the independent district board of education,*
- i. *mathematics courses taught at a technology center school by a teacher certified in the secondary subject area when taken in the tenth, eleventh or twelfth grade upon approval of the State Board of Education and the independent district board of education, or*
- j. *equal to or above Algebra I;*

3. *Science – 3 units or sets of competencies, to consist of 1 unit or set of competencies of Biology I or Biology I taught in a contextual methodology, and 2 units or sets of*

2014-2015 Standards for Accreditation of Oklahoma Schools

competencies in the areas of life, physical, or earth science or technology which may include, but are not limited to, the following courses:

- a. Chemistry I,*
- b. Physics,*
- c. Biology II,*
- d. Chemistry II,*
- e. Physical Science,*
- f. Earth Science,*
- g. Botany,*
- h. Zoology,*
- i. Physiology,*
- j. Astronomy,*
- k. Applied Biology/Chemistry,*
- l. Applied Physics,*
- m. Principles of Technology,*
- n. qualified agricultural education courses,*
- o. (1) contextual science courses which enhance technology preparation, or
(2) a science, technology, engineering and math (STEM) block course meeting the requirements for course competencies listed in paragraph 3 of subsection B of this section, whether taught at a:*
 - {1} (a) comprehensive high school, or*
 - {2} (b) technology center school when taken in the tenth, eleventh or twelfth grade, taught by a certified teacher, and approved by the State Board of Education and the independent district board of education,*
- p. science courses taught at a technology center school by a teacher certified in the secondary subject area when taken in the tenth, eleventh or twelfth grade upon approval of the State Board of Education and the independent district board of education, or*

2014-2015 Standards for Accreditation of Oklahoma Schools

- q. other science courses with content and/or rigor equal to or above Biology I;*

4. Social Studies – 3 units or sets of competencies, to consist of 1 unit or set of competencies of United States History, 1/2 to 1 unit or set of competencies of United States Government, 1/2 unit or set of competencies of Oklahoma History, and 1/2 to 1 unit or set of competencies which may include, but are not limited to, the following courses:

- a. World History,*
- b. Geography,*
- c. Economics,*
- d. Anthropology, or*
- e. other social studies courses with content and/or rigor equal to or above United States History, United States Government, and Oklahoma History; and*

5. Arts – 2 units or sets of competencies which may include, but are not limited to, courses in Visual Arts and General Music.

E. 1. In addition to the curriculum requirements of either subsection B or D of this section, in order to graduate from a public high school accredited by the State Board of Education students shall complete the requirements for a personal financial literacy passport as set forth in the Passport to Financial Literacy Act and any additional course requirements or recommended elective courses as may be established by the State Board of Education and the district school board. School districts shall strongly encourage students to complete two units or sets of competencies of foreign languages and two units or sets of competencies of physical and health education.

2. No student shall receive credit for high school graduation more than once for completion of the same unit or set of competencies to satisfy the curriculum requirements of this section.

3. A school district shall not be required to offer every course listed in subsections B and D of this section, but shall offer sufficient courses to allow a student to meet the graduation requirements during the secondary grade years of the student.

F. For purposes of this section:

- 1. "Contextual methodology" means academic content and skills taught by utilizing real-world problems and projects in a way that helps students understand the application of that knowledge;*
- 2. "Qualified agricultural education courses" means courses that have been determined by the State Board of Education to offer the sets of competencies ~~in the Priority Academic Student Skills (PASS), as adopted by the Board,~~ for one or more science content areas and which correspond to academic science courses. Qualified agricultural education courses*

2014-2015 Standards for Accreditation of Oklahoma Schools

shall include, but are not limited to, Horticulture, Plant and Soil Science, Natural Resources and Environmental Science, and Animal Science. The courses shall be taught by teachers certified in agricultural education and comply with all rules of the Oklahoma Department of Career and Technology Education;

3. "Rigor" means a level of difficulty that is thorough, exhaustive and accurate and is appropriate for the grade level ~~and that meets state and/or national standards;~~

4. "Sets of competencies" means instruction in those skills and competencies that are specified in the Priority Academic Student Skills (PASS), ~~as adopted by the State Board of Education, subchapter 5, Chapter 15, Title 210 of the Oklahoma Administrative Code,~~ and other skills and competencies adopted by the Board, without regard to specified instructional time; and

5. "Unit" means a Carnegie Unit as defined by the North Central Association's Commission on Schools.

G. 1. The State Board of Education shall adopt a plan to ensure that rigor is maintained in the content, teaching methodology, level of expectations for student achievement, and application of learning in all the courses taught to meet the graduation requirements as specified in this section.

2. The State Board of Education shall allow as much flexibility at the district level as is possible without diminishing the rigor or undermining the intent of providing these courses. To accomplish this purpose, the State Department of Education shall work with school districts in reviewing and approving courses taught by districts that are not specifically listed in subsections B and D of this section. Options may include, but shall not be limited to, courses taken by concurrent enrollment, advanced placement, or correspondence, or courses bearing different titles.

3. Technology center school districts may offer programs designed in cooperation with institutions of higher education which have an emphasis on a focused field of career study upon approval of the State Board of Education and the independent district board of education. Students in the tenth grade may be allowed to attend these programs for up to one-half (1/2) of a school day and credit for the units or sets of competencies required in paragraphs 2 and 3 of subsection B or D of this section shall be given if the courses are taught by a teacher certified in the secondary subject area; provided, credit for units or sets of competencies pursuant to subsection B of this section shall be approved for college admission requirements.

4. If a student enrolls in a concurrent course, the school district shall not be responsible for any costs incurred for that course, unless the school district does not offer enough course selection during the student's secondary grade years to allow the student to receive the courses needed to meet the graduation requirements of this section. If the school district does not offer the necessary course selection during the student's secondary grade years, it shall be responsible for the cost of resident tuition at an institution in The Oklahoma State System of Higher Education, fees, and books for the concurrent enrollment course, and providing for transportation to and from the institution to the school site.

2014-2015 Standards for Accreditation of Oklahoma Schools

It is the intent of the Legislature that for students enrolled in a concurrent enrollment course which is paid for by the school district pursuant to this paragraph, the institution charge only the supplementary and special service fees that are directly related to the concurrent enrollment course and enrollment procedures for that student. It is further the intent of the Legislature that fees for student activities and student service facilities, including the student health care and cultural and recreational service fees, not be charged to such students.

5. Credit for the units or sets of competencies required in subsection B or D of this section shall be given when such units or sets of competencies are taken prior to ninth grade if the teachers are certified or authorized to teach the subjects for high school credit and the required rigor is maintained.

6. The three units or sets of competencies in mathematics required in subsection B or D of this section shall be completed in the ninth through twelfth grades. If a student completes any required courses or sets of competencies in mathematics prior to ninth grade, the student may take any other mathematics courses or sets of competencies to fulfill the requirement to complete three units or sets of competencies in grades nine through twelve after the student has satisfied the requirements of subsection B or D of this section.

7. All units or sets of competencies required for graduation may be taken in any sequence recommended by the school district.

H. As a condition of receiving accreditation from the State Board of Education, all students in grades nine through twelve shall enroll in a minimum of six periods, or the equivalent in block scheduling or other scheduling structure that allows for instruction in sets of competencies, of rigorous academic and/or rigorous vocational courses each day, which may include arts, vocal and instrumental music, speech classes, and physical education classes.

I. 1. Academic and vocational-technical courses designed to offer sets of competencies integrated or embedded within the course that provide for the teaching and learning of the appropriate skills and knowledge in the ~~Priority Academic Student Skills (PASS)~~ subject matter standards, as adopted by the State Board of Education, may upon approval of the Board, in consultation with the Oklahoma Department of Career and Technology Education if the courses are offered at a technology center school district, be counted for academic credit and toward meeting the graduation requirements of this section.

2. Internet-based courses offered by a technology center school that are taught by a certified teacher and provide for the teaching and learning of the appropriate skills and knowledge in the ~~PASS~~ subject matter standards may, upon approval of the State Board of Education and the independent district board of education, be counted for academic credit and toward meeting the graduation requirements of this section.

3. Internet-based courses or vocational-technical courses utilizing integrated or embedded skills for which no ~~Priority Academic Student Skills~~ subject matter standards have been

2014-2015 Standards for Accreditation of Oklahoma Schools

adopted by the State Board of Education may be approved by the Board, in consultation with the Oklahoma Department of Career and Technology Education if the courses are offered at a technology center school district, if such courses incorporate standards of nationally recognized professional organizations and are taught by certified teachers.

4. Courses offered by a supplemental education organization that is accredited by a national accrediting body and that are taught by a certified teacher and provide for the teaching and learning of the appropriate skills and knowledge in the PASS subject matter standards may, upon approval of the State Board of Education and the school district board of education, be counted for academic credit and toward meeting the graduation requirements of this section.

J. The State Board of Education shall provide an option for high school graduation based upon attainment of the desired levels of competencies as required in tests pursuant to the provisions of [Section 1210.508](#) of this title. Such option shall be in lieu of the amount of course credits earned.

K. The State Board of Education shall prescribe, adopt and approve a promotion system based on the attainment by students of specified levels of competencies in each area of the core curriculum.

L. Children who have individualized education programs pursuant to the Individuals with Disabilities Education Act (IDEA), and who satisfy the graduation requirements through the individualized education program for that student shall be awarded a standard diploma.

M. For students who enter the ninth grade in or prior to the 2007-08 school year who are enrolled in an alternative education program and meet the requirements of their plans leading to high school graduation developed pursuant to [Section 1210.568](#) of this title shall be awarded a standard diploma.

N. Any student who completes the curriculum requirements of the International Baccalaureate Diploma Program shall be awarded a standard diploma.

O. Any student who successfully completes an advanced mathematics or science course offered pursuant to [Section 1210.404](#) of this title shall be granted academic credit toward meeting the graduation requirements pursuant to paragraph 2 or 3, as appropriate, of subsection B or D of this section.

P. For purposes of this section, the courses approved for college admission requirements shall be courses which are approved by the Oklahoma State Regents for Higher Education for admission to an institution within The Oklahoma State System of Higher Education.

Q. The State Department of Education shall collect and report data by school site and district on the number of students who enroll in the core curriculum as provided in subsection D of this section.

(14)

2014-2015 Standards for Accreditation of Oklahoma Schools

70 O.S. § 11-103.6h - Passport to Financial Literacy Act

A. Personal financial literacy education shall be taught in the public schools of this state. Personal financial literacy education shall include, but is not limited to, the following areas of instruction:

- 1. Understanding interest, credit card debt, and on-line commerce;*
- 2. Rights and responsibilities of renting or buying a home;*
- 3. Savings and investing;*
- 4. Planning for retirement;*
- 5. Bankruptcy;*
- 6. Banking and financial services;*
- 7. Balancing a checkbook;*
- 8. Understanding loans and borrowing money, including predatory lending and payday loans;*
- 9. Understanding insurance;*
- 10. Identity fraud and theft;*
- 11. Charitable giving;*
- 12. Understanding the financial impact and consequences of gambling;*
- 13. Earning an income; and*
- 14. Understanding state and federal taxes.*

B. Beginning with students entering the seventh grade in the 2008-2009 school year, in order to graduate from a public high school accredited by the State Board of Education with a standard diploma, students shall fulfill the requirements for a personal financial literacy passport. The requirements for a personal financial literacy passport shall be satisfactory completion in all areas of instruction in personal financial literacy as listed in subsection A of this section during grades seven through twelve.

C. Beginning with the 2008-2009 school year, school districts shall provide instruction in personal financial literacy to students during grades seven through twelve. School districts shall have the option of determining when each area of instruction listed in subsection A of this section shall be presented to students.

2014-2015 Standards for Accreditation of Oklahoma Schools

D. Personal financial literacy instruction shall be integrated into one or more existing courses of study or provided in a separate personal financial literacy course. School districts shall have the option of determining into which course or courses each area of instruction listed in subsection A of this section shall be integrated.

E. The State Board of Education shall identify and adopt curriculum standards for personal financial literacy instruction that reflect the areas of instruction listed in subsection A of this section. The standards shall be incorporated into the state academic content standards adopted by the Board pursuant to [Section 11-103.6](#) of Title 70 of the Oklahoma Statutes and known as the Priority Academic Student Skills Curriculum.

F. The State Department of Education shall:

1. Develop guidelines and material designed to enable schools to infuse personal financial literacy within any course of study currently offered by the school district or offer personal financial literacy as a separate course. The guidelines shall outline the areas of instruction to be taught based on the curriculum standards adopted by the Board;

2. Develop professional development programs that are designed to help teachers provide instruction in personal financial literacy and incorporate the curriculum into an existing course or courses or develop curriculum for a separate personal financial literacy course; and

3. Provide resources, including on-line modules, for integrating the teaching of personal financial literacy into an existing course or courses of study or for developing a separate personal financial literacy course. The on-line modules shall include an assessment component for each area of instruction listed in subsection A of this section.

G. The Department may work with one or more not-for-profit organizations that have proven expertise in the development of standards and curriculum and delivery of teacher professional development in personal financial literacy for the purpose of developing and providing guidelines, materials, resources, including on-line modules, and professional development.

H. 1. For students who transfer into an Oklahoma school district from out of state after the seventh grade, school districts shall assess the knowledge of the student in each of the areas of instruction listed in subsection A of this section. If the school district determines that the transferred student has successfully completed instruction in any or all of the areas of personal financial literacy instruction at a previous school in which the student was enrolled or if the student demonstrates satisfactory knowledge of any or all of the areas of personal financial literacy instruction through an assessment, the school district may exempt the student from completing instruction in that area of personal financial literacy instruction. School districts may use the assessment contained in the on-line modules provided by the State Department of Education pursuant to subsection F of this section to determine the personal financial literacy knowledge level of the student. School districts may also use the on-

2014-2015 Standards for Accreditation of Oklahoma Schools

line modules to present an area of instruction to transferred students who have not completed or who did not demonstrate satisfactory knowledge in one or more of the areas of personal financial literacy instruction.

2. For students who transfer into an Oklahoma school district from out of state after the junior year of high school, school districts may make an exception to the requirements for a personal financial literacy passport pursuant to the provisions of [Section 11-103.6](#) of Title 70 of the Oklahoma Statutes.

I. The State Textbook Committee created in [Section 16-101](#) of Title 70 of the Oklahoma Statutes may, when selecting textbooks for mathematics, economics, or similar courses, select those textbooks which contain substantive provisions on personal finance. (07)

70 O.S. § 1210.523 - End-of-instruction Criterion-Referenced Tests – Alternative Methods of Demonstrating Mastery of State Academic Content Standards

A. Except as provided in subsections D and E of this section, beginning with students entering the ninth grade in the 2008-2009 school year, every student shall demonstrate mastery of the state academic content standards in the following subject areas in order to graduate from a public high school with a standard diploma:

1. Algebra I;

2. English II; and

3. Two of the following five:

a. Algebra II,

b. Biology I,

c. English III,

d. Geometry, and

e. United States History.

B. To demonstrate mastery, the student shall attain at least a proficient score on the end-of-instruction criterion-referenced tests administered pursuant to [Section 1210.508](#) of this title.

C. Notwithstanding any other provision of law, students who do not attain at least a proficient score on any end-of-instruction test shall be provided remediation or intervention and the opportunity to retake the test until at least a proficient score is attained on the tests of Algebra I, English II and two of the tests required in paragraph 3 of subsection A of this section or an approved alternative test. Technology center schools shall be authorized to provide intervention and remediation in Algebra I, Algebra II, Geometry, English II, English III,

2014-2015 Standards for Accreditation of Oklahoma Schools

United States History, and Biology I to students enrolled in technology center schools, with the approval of the independent school district board.

D. 1. Students who do not meet the requirements of subsection A of this section may graduate from a public high school with a standard diploma by demonstrating mastery of state academic content standards by alternative methods as approved by the State Board of Education.

2. The State Board of Education shall adopt rules providing for necessary student exceptions and exemptions to the requirements of this section. The Board shall collect data by school site and district on the number of students provided and categories of exceptions and exemptions granted. Beginning October 1, 2012, the Board shall provide an annual report of this data to the Governor, President Pro Tempore of the Senate and Speaker of the House of Representatives.

3. Students who score ten percent (10%) above the cut scores approved by the State Board of Education for the American College Testing Program (ACT), the Scholastic Aptitude Test (SAT), ACT Plan or Preliminary Scholastic Aptitude Test/National Merit Scholarship Qualifying Test (PSAT/NMSQT) alternate tests shall be deemed to have satisfactorily demonstrated mastery of state academic content standards in the subject areas for which alternate tests have been approved and shall be exempt from taking the end-of-instruction criterion-referenced tests in the subject areas of Algebra II, English III, Geometry or United States History as listed in paragraph 3 of subsection A of this section.

4. Students who have a score that is equal to or above the cut scores approved by the State Board of Education for the Advanced Placement course exams, ACT Workkeys job skills assessment, College-Level Examination Program (CLEP) or International Baccalaureate (IB) alternate tests shall be deemed to have satisfactorily demonstrated mastery of state academic content standards in the subject areas for which alternate tests have been approved and shall be exempt from taking the end-of-instruction criterion-referenced tests in the subject areas of Algebra II, English III, Geometry or United States History as listed in paragraph 3 of subsection A of this section.

5. The State Board of Education shall adopt rules providing for implementation of paragraphs 3 and 4 of this subsection. The rules shall provide for the designation of students as proficient or advanced based on the scores obtained pursuant to paragraphs 3 and 4 of this subsection for the purposes of calculating the grade of a school as part of the accountability system developed pursuant to [Section 1210.545](#) of this title, evaluating teachers and administrators as part of the Teacher and Leader Effectiveness Evaluation System developed pursuant to [Section 6-101.16](#) of this title and for any other purpose provided for by law.

E. 1. The State Board of Education shall adopt rules establishing an appeal process for students who have been denied a standard diploma by the school district in which the student is or was enrolled for failing to meet the requirements of this section. A student who has been denied a standard diploma by the school district in which the student is enrolled shall have

2014-2015 Standards for Accreditation of Oklahoma Schools

thirty (30) days after denial of the standard diploma in which to file a petition for an appeal to the State Board of Education. The State Board of Education shall take action on a petition for an appeal no later than forty-five (45) days after receiving the petition.

2. The State Board of Education shall collect data by school site and school district on the number of students petitioning for an appeal and the number of appeals approved by the State Board of Education pursuant to this subsection. Beginning October 1, 2012, the State Board of Education shall provide an annual report of this data to the Governor, President Pro Tempore of the Senate and Speaker of the House of Representatives.

F. 1. Students who have individualized education programs pursuant to the Individuals with Disabilities Education Act (IDEA) shall have an appropriate statement on the student's individualized education program requiring administration of the assessment with or without accommodations or an alternate assessment. Any accommodations normally employed for the assessment shall be approved by the State Board of Education and be provided for in the individualized education program. All documentation for each student shall be on file in the school prior to administration of the assessment.

2. Students with disabilities whose individualized education program (IEP) pursuant to the Individuals with Disabilities Education Act (IDEA) indicates that the student is to be assessed with alternate achievement standards through the Oklahoma Alternate Assessment Program (OAAP) may be eligible to graduate from a public high school with a standard diploma after failing to meet the requirements of subsection A of this section upon the determination of the school district that the student meets the following criteria:

a. obtains a written recommendation from the student's teacher of record in consultation with the teacher in each subject in which the student failed to meet the requirements of subsection A of this section. The recommendation shall be supported by the principal and by documentation demonstrating the acquired knowledge of the student by alternate measures as required by the individualized education program (IEP),

b. completes remediation opportunities to the extent required by the individualized education program (IEP),

c. retakes the exam in each subject in which the student failed to meet the requirements of subsection A of this section if the individualized education program (IEP) requires retake opportunities,

d. maintains at least a C average or the equivalent in each subject in which the student failed to meet the requirements of subsection A of this section, and

e. meets all other graduation requirements of the school district in which the student is enrolled.

2014-2015 Standards for Accreditation of Oklahoma Schools

3. *The Oklahoma School for the Blind and the Oklahoma School for the Deaf shall be considered local education agencies solely for the purposes of purchasing, administering and obtaining test results under this section for the students attending their schools.*

4. *Students identified as English language learners shall be assessed in a valid and reliable manner with the state academic assessments with acceptable accommodations as necessary or, to the extent practicable, with alternate assessments aligned to the state assessment provided by the school district in the language and form most likely to yield accurate data of the student's knowledge of the content areas.*

G. *Students who have been denied a standard diploma by the school district in which the student is or was enrolled for failing to meet the requirements of this section may re-enroll in the school district that denied the student a standard diploma following the denial of a standard diploma. The student shall be provided remediation or intervention and the opportunity to retake the test until at least a proficient score is attained on the test or tests necessary to obtain a standard diploma. Students who re-enroll in the school district to meet the graduation requirements of this section shall be exempt from the hourly instructional requirements of Section 1-111 of this title and the six-period enrollment requirements of [Section 11-103.6](#) of this title.*

H. *The State Board of Education shall be authorized to contract with an entity to develop and advise on the implementation of a communications campaign to build public understanding of and support for the testing requirements of this section.* (14)

70 O.S. § 1210.526 – Eligibility for Funding Under ACE

A. *Contingent on the provision of appropriated funds designated for the Achieving Classroom Excellence Act of 2005, school districts shall be eligible for funding as follows:*

1. *A maximum of Two Hundred Forty Dollars (\$240.00) for remediation or intervention for each subject-specific test by a student that resulted in a score at the unsatisfactory level and for which the student has been found to be in need of remediation or intervention pursuant to Sections [1210.522](#) and [1210.523](#) of this title;*
2. *A maximum of One Hundred Eighty Dollars (\$180.00) for remediation or intervention for each subject-specific test by a student that resulted in a score at the limited knowledge level and for which the student has been found to be in need of remediation or intervention pursuant to Sections [1210.522](#) and [1210.523](#) of this title;*
3. *Funds for remediation or intervention as provided for in paragraphs 1 and 2 of this subsection shall be disbursed by the State Department of Education by September 1 of each year and shall be based on the most recent test results available from the previous school year or summer test administration; and*
4. *Claims for reimbursement for costs associated with administration of alternative assessments as required by Section [1210.523](#) of this title shall be filed with the State*

2014-2015 Standards for Accreditation of Oklahoma Schools

Department of Education at the end of each school semester or prior to the end of the fiscal year in which the alternative assessment is provided. Claims from summer alternative assessment administration provided in July or August shall be filed with the first semester claim of the subsequent school year. Claims shall be reimbursed in a timely manner.

B. Funds for remediation or intervention as provided for in subsection A of this section may be used to provide remediation or intervention to any student in grade 6 through grade 12 or any student under the age of twenty-one (21) who enrolls in a school district pursuant to subsection G of Section [1210.523](#) of this title in order to meet the graduation requirements of Section [1210.523](#) of this title who has been determined to be in need of remediation or intervention, including but not limited to those students who have scored at the unsatisfactory or limited knowledge level.

C. Remediation and intervention provided pursuant to this section by school districts shall be for the purpose of assisting students in performing at least at the satisfactory level on the applicable criterion-referenced tests in reading and mathematics at the eighth-grade level, or the applicable end-of-instruction tests as required in Section [1210.523](#) of this title, or an alternative assessment if eligible. Remediation and intervention may be provided by means which may include, but are not limited to, tutoring, additional help during the school day, extended-day programs, Saturday programs, summer programs, online coursework, or other supplementary services which are provided on an individual basis or in a classroom setting.

D. State Aid funding for students enrolling in a school district pursuant to subsection G of Section [1210.523](#) of this title shall be calculated based upon the percentage of the total school day in which the student is enrolled multiplied by the appropriate grade level weight pursuant to Section [18-201.1](#) of this title. Only enrollment in courses or periods necessary to meet the graduation requirements of Section [1210.523](#) of this title and not elective courses or periods shall be included in the calculation of State Aid funding.

E. School districts shall report on their use of funds for remediation and intervention as provided for in this section to the State Board of Education in a manner prescribed by the Board.

F. The State Board of Education shall promulgate rules to implement the provisions of this section.

(13)

[70 O.S. § 11-103.6f](#) - Rules for Transferees After Junior Year of High School

A. Prior to September 1, 2003, the State Board of Education shall adopt rules to ensure that students who transfer into an Oklahoma school district from out of state after the junior year of high school of the student shall not be denied, due to differing graduation requirements, the opportunity to be awarded a standard diploma.

B. The rules shall allow district boards of education to make exceptions on an individual student basis to the high school graduation requirements of [Section 11-103.6](#) of Title 70 of the

2014-2015 Standards for Accreditation of Oklahoma Schools

Oklahoma Statutes for such students who would be unable to meet the specific graduation requirements without extending the date of graduation. Each district board of education that grants exceptions pursuant to this subsection shall report to the State Department of Education on or before July 1 of each year the number of students granted exceptions and reasons for the exceptions.

(03)

[Implementation Guide for Achieving Classroom Excellence](#) (ACE)

(13)

Key provisions of ACE:

- (A) Students who do not score at least at the satisfactory level shall be afforded the opportunity to retake each test up to three times each calendar year until achieving at the satisfactory level.
- (B) Beginning with students who enter the ninth grade in 2008-09, school districts shall report the highest performance level attained on the end-of-instruction tests on the student's high school transcript.
- (C) To demonstrate mastery, the student shall attain at least a proficient score on the end-of-instruction criterion-referenced tests.
- (D) Students who do not attain at least a proficient score on any end-of-instruction test shall be provided remediation or intervention and the opportunity to retake the test until at least a proficient score is attained on the test of Algebra I, English II and two of the tests required or an approved alternative test.
- (E) Technology center schools shall be authorized to provide intervention and remediation in Algebra I and Biology I to students enrolled in technology center schools, with the approval of the independent school district (i.e., Approved Alternate Tests, End of Course Projects, or Modified Proficiency Scores).
- (F) Students who do not meet the requirements of testing may graduate from a public high school with a standard diploma by demonstrating mastery of state academic content standards by alternative methods as approved by the State Board of Education.
- (G) The State Board of Education shall adopt rules providing for necessary student exceptions and exemptions to the requirements of this section. The Board shall collect data by school site and district on the number of students provided and categories of exceptions and exemptions granted.
- (H) Students who have individualized education programs shall have an appropriate statement on the student's individualized education program requiring administration of the assessment with or without accommodations or an alternate assessment. All documentation for each student shall be on file in the school prior to administration of the assessment.
- (I) Students identified as English language learners shall be assessed in a valid and reliable manner with the state academic assessments with acceptable accommodations as necessary or, to the extent practicable, with alternative assessments aligned to the state assessment provided by the school district in the language and form most likely to yield accurate data of the student's

2014-2015 Standards for Accreditation of Oklahoma Schools

knowledge of the content areas.

[70 O.S. §11-103.6]

(11)

ADDITIONAL STANDARDS FOR CAREERTECH/COMPREHENSIVE SECONDARY SCHOOLS



OAC 210:35-11-31. Program of studies

- (a) Each *CareerTech* education program shall have an occupational advisory committee which provides input for instructional content and direction. The advisory committee shall be diversified with the majority of membership representative of occupations for which the program provides training.
- (b) *CareerTech* instructors in all *CareerTech* programs shall use instructional materials developed by the Oklahoma Department of Career and Technology Education or other materials which are consistent with the desired outcomes as specified by the appropriate state program administrator.
- (c) Each *CareerTech* instructor shall be responsible for providing appropriate activities which will contribute to the development of each *CareerTech* student according to the student's occupational objective and for conducting and reporting student follow-up upon exit from or completion of the program.
- (d) Each *CareerTech* instructor shall provide integration of academic and essential workplaceskills as they reinforce the *CareerTech* competencies of the program. Academics taught in the technology center shall be delivered in the context of the program in which each student is enrolled.
- (e) *Students who have Individualized Education Programs may earn academic credit toward high school graduation for coursework completed in a career and technology education program, provided that state and federal legislation and policies are followed and:*
 - (1) *The IEP team documents the specific competencies for the career and technology education program which address the sets of competencies and/or Priority Academic skills required for the academic course and that the course is taught by a highly qualified teacher;*
 - (2) *The IEP is developed with the full participation, as an IEP team member, of a representative from the technology center in which the student will be enrolled;*
 - (3) *The specific course for which the student will receive credit is documented through the individualized education program for the student; and,*
 - (4) *The high school and the IEP team monitor the student's progress to assure both the high school and the technology center are meeting the provisions of the IEP. [34 CFR 300.347]*
- (f) *Courses which may be offered for High School credit in math or science beginning with students who are ninth graders in the 2006-07 school year include:*

State Graduation Requirements (70 O.S. § 11-103.6)	College Preparatory Curriculum Requirements (70 O.S. § 11-103.6)
Units or sets of competencies	Units or sets of competencies
3 Science: 1 unit or sets of competencies to	3 Units of Laboratory Science: limited to

2014-2015 Standards for Accreditation of Oklahoma Schools

<p>consist of Biology I or Biology I taught in a contextual methodology, and 2 units or sets of competencies in the areas of life, physical, or earth science or technology which may include, but are not limited to the following courses: Chemistry I, Physics, Biology II, Chemistry II, Physical Science, Earth Science, Botany, Zoology, Physiology, Astronomy, Applied Biology/Chemistry; Applied Physics; Principles of Technology; qualified agricultural education courses (including but not limited to Horticulture, Plant and Soil Science, Natural Resources and Environmental Science, and Animal Science); contextual science courses which enhance technology preparation or a science, technology, engineering and math (STEM) block course meeting the requirements for course competencies listed in 70 O.S. § 11-103.6(B)(3), whether taught at a (1) comprehensive high school, or (2) technology center school when taken in the tenth, eleventh or twelfth grade, taught by a certified teacher and approved by the State Board of Education and the independent district board of education; science courses taught at a technology center school by a teacher certified in the secondary subject area when taken in the eleventh or twelfth grade upon approval of the State Board of Education and the independent district board of education; or other science courses with content and/or rigor equal to or above Biology I.</p>	<p>Biology, Chemistry, Physics, or any lab science course with content and/or rigor equal to or above Biology and approved for college admission requirements. Note: Science courses above Biology I may be taught at either a high school or technology center.</p>
<p>State Graduation Requirements (70 O.S. § 11-103.6) Units or sets of competencies</p>	<p>College Preparatory Curriculum Requirements (70 O.S. § 11-103.6) Units or sets of competencies</p>
<p>3 Mathematics: 1 unit or sets competencies of Algebra I or Algebra I taught in a contextual methodology, and 2 units or sets of competencies which may include, but are not limited to, the following courses: Algebra II; Geometry, or Geometry taught in a contextual methodology; Trigonometry;</p>	<p>3 Units of Mathematics: limited to Algebra I, Algebra II, Geometry, Trigonometry, Math Analysis, Calculus, Advanced Placement Statistics, or any mathematics course with content and/or rigor above Algebra I and approved for college admission requirements. Note:</p>

2014-2015 Standards for Accreditation of Oklahoma Schools

<p>Math Analysis or Precalculus; Calculus; Statistics and/or Probability; Computer Science; contextual mathematics courses, or a science, technology, engineering and math (STEM) block course meeting the requirements for course competencies listed in 70 O.S. § 11-103.6(B)(2), which enhance technology preparation, whether taught at a comprehensive high school or technology center school (when taken in the eleventh or twelfth grade, taught by a certified teacher, and approved by the State Board of Education and the independent district board of education); or other mathematics courses equal to or above Algebra I; mathematics courses taught at a technology center school by a teacher certified in the secondary subject area when taken in the tenth, eleventh or twelfth grade upon approval of the State Board of Education and the independent district board of education.</p>	<p>Math courses above Algebra I may be taught at either a high school or technology center.</p>
	<p>2 units of the same Foreign Language or non-English language or 2 units of Computer Technology approved for college admission requirements, whether taught at a high school or a technology center school, including computer programming, hardware, and business computer applications such as word processing, databases, spreadsheets, and graphics, excluding keyboarding or typing courses.</p>
	<p>1 additional unit selected from English, Laboratory Science, Mathematics, History and Citizenship Skills, Foreign Language, Non-English Language or Computer Technology or career and technology education courses approved for college admission requirements.</p>
<p>Electives – <i>Career</i>Tech courses will count for elective credit.</p>	<p>Electives – <i>Career</i>Tech courses will count for elective credit.</p>

2014-2015 Standards for Accreditation of Oklahoma Schools

By action of the State Board of Education, certain career and technology courses may, upon approval of the independent district board of education and technology center board of education, be counted for academic credit upon successful completion. These courses may include but are not limited to the following:

Career and Technology Course	Academic Credit
Health Science Technology (Grades 11 and 12) Health Careers Certification (Grades 11 and 12) Dental Assisting (Grade 11 or 12) Medical Assisting (Grade 11 or 12) Practical Nursing (Grade 12)	Anatomy and Physiology
Certain Computer Technology Education courses (offered at technology center or high school)	Computer Technology credit
Pre-Engineering Academies	Math, science, and computer technology

- (1) Students may receive credit for academic courses taught at the Career and Technology Center when that center adheres to current law regarding such credit.
- (2) Students may receive academic credit for certain career and technology courses taught at the career and technology center or high school when center/school adheres to current law regarding such credit.
- (3) Students must meet, within the structure of the academic class, the attendance requirements of their comprehensive schools in order to receive academic credit. Further, the limit of 10 days of absence from the academic class for school-related activities applies.

STANDARD V

THE SCHOOL STAFF

In this standard:

- **QUALIFICATIONS**
 - **Well-qualified administrators and teachers, working cooperatively**

2014-2015 Standards for Accreditation of Oklahoma Schools

- Staff development for administrators and teachers
- Baccalaureate degree and certification required for instructors
- Superintendents and deputy superintendents—certificate required
- Administrative assistants—appropriate education and experience
- Other professional staff—appropriate certification
- **PERSONNEL RECORDS**
 - Official transcripts on file showing work of teachers and nurses
- **TEACHER CONTRACTS**
 - Written contracts required
 - Boards must contract only with certified teachers
 - Teachers under contract cannot contract with a different school board
 - Restrictions on temporary contracts
- **TEACHER'S ASSISTANT or VOLUNTEER**
 - Teacher's assistant required for class size 20+ in grades K-2
 - When at least 20% of class eligible for school lunch program
 - A federally funded bilingual assistant does not qualify
- **CAREER DEVELOPMENT PROGRAM FOR PARAPROFESSIONALS**
 - Paraprofessional certificate available for qualified staff
- **NON-TRADITIONAL CERTIFICATION IN SPECIAL EDUCATION**
- **ALTERNATIVE PLACEMENT TEACHING CERTIFICATES**
- **GENERAL COMPETENCIES FOR LICENSURE AND CERTIFICATION**
- **OATH OR AFFIRMATION REQUIRED**
 - Loyalty oath for employees of the state and its subdivisions
- **CRIMINAL HISTORY RECORD CHECK**
- **NOTIFYING SCHOOL DISTRICT OF ARREST**
- **REASONS FOR DISMISSAL OF CAREER TEACHERS**
- **ADDITIONAL STANDARDS FOR ELEMENTARY SCHOOLS**
- **ADDITIONAL STANDARDS FOR MIDDLE LEVEL SCHOOLS**
- **ADDITIONAL STANDARDS FOR SECONDARY SCHOOLS**
- **ADDITIONAL STANDARDS FOR CAREERTECH/COMPREHENSIVE SECONDARY SCHOOLS**

STANDARD V

THE SCHOOL STAFF

[OAC](#)⁵ 210:35-3-81. Statement of the standard



G

⁵ PLEASE NOTE: The Oklahoma Administrative Code is available online, but only permits linking to the front page. To view OAC material, click on the hyperlinked "OAC", then select "View Code" from the options at the left side of the screen. Select the appropriate Title (210 for State Department of Education), then chapter number and subchapter, until you have reached the desired code section.

2014-2015 Standards for Accreditation of Oklahoma Schools

The schools of Oklahoma shall be staffed by administrators and teachers who are well-qualified for their respective positions. Administrators and staff shall work together in a collegial, cooperative school environment. The staff shall participate in decision making affecting the school program and teach under conditions favorable to effective performance. Administrators and teachers participate in staff development to enhance professional and instructional skills and to meet locally identified school improvement needs. **(92)**

OAC 210:35-3-86. Qualifications; personnel records

(a) All professional personnel, with the exception of some instructors in Career Technology programs, shall hold a baccalaureate degree from an accredited institution, provide evidence of adequate professional education preparation, meet the certification standards of Oklahoma, and be assigned to teach in areas for which they are certified.

(b) The superintendent who is the administrative head of the school system shall hold a valid Oklahoma superintendent's certificate. The Technology Center superintendent who is the administrative head of the school system shall also hold the technology center superintendent endorsement issued by the State Board of Education. In addition, the technology center superintendent shall have a Standard Area School Administrator Credential which is issued by the Oklahoma Department of Career and Technology Education.

(c) A deputy or assistant superintendent shall hold the same certification/credentials as the superintendent.

(d) Administrative assistants shall have education training or experience appropriate to their responsibilities.

(e) Beginning with the 1991-1992 school year, any administrative assistant whose responsibilities include the supervision of certificated personnel and/or educational program shall hold a valid administrative certificate appropriate to the grade level(s) that he/she supervises.

(f) Other professional staff shall hold the appropriate certification for their job assignment.

(g) Official up-to-date transcripts showing the work of all secondary, elementary, elementary district school teachers, and nurses in all districts shall be kept on file during the year in the office of the superintendent with copies at school sites. All districts shall also keep on file during the year, in the office of the site principal and the superintendent.

(02)

70 O.S. § 6-101 - Teachers - Contract

A. Except as provided in subsection E of this section, no person shall be permitted to teach in any school district of the state without a written contract, except as provided herein for substitute teachers and except teachers of classes in adult education. Except as provided in subsection J of this section, the board of education of each school district, wherein school is expected to be conducted for the ensuing year, shall employ and contract in writing with qualified teachers for and in the name of the district. One copy of the contract shall be filed with the clerk of the board of education and one copy shall be retained by the teacher.

2014-2015 Standards for Accreditation of Oklahoma Schools

B. Except as otherwise provided by subsection J of this section and any other law, no board of education shall have authority to enter into any written contract with a teacher who does not hold a valid certificate issued or recognized by the State Board of Education authorizing said teacher to teach the grades or subject matter for which the teacher is employed. Any board of education paying or authorizing the payment of the salary of any teacher not holding a certificate, as required herein, shall be adjudged to be guilty of a fraudulent expenditure of public funds and members voting for such payment shall be held jointly responsible for the return of the amount of any public monies thus expended, upon suit brought by the district attorney or by any interested citizen in the district where such funds have been expended.

D. Whenever any person shall enter into a contract with any school district in Oklahoma to teach in such school district the contract shall be binding on the teacher and on the board of education until the teacher legally has been discharged from the teaching position or released by the board of education from the contract. Except as provided in [Section 5-106A](#) of this title, until such teacher has been thus discharged or released, the teacher shall not have authority to enter into a contract with any other board of education in Oklahoma for the same time covered by the original contract. If upon written complaint by the board of education in a district any teacher is reported to have failed to obey the terms of the contract previously made and to have entered into a contract with another board of education without having been released from the former contract except as provided in [Section 5-106A](#) of this title, the teacher, upon being found guilty of such charge at a hearing held before the State Board of Education, shall have such teacher's certificate suspended for the remainder of the term for which the contract was made.

I. A teacher may contract with more than one school district for the same school year as provided in [Section 5-106A](#) of this title.

J. A board of education shall have authority to enter into written contracts for the ensuing fiscal year prior to the beginning of the year with persons who are not certified or licensed to teach by the State Board of Education as long as the person is actively in the process of securing certification or licensure. The person shall not be allowed to teach in a classroom until the person has met or completed all of the requirements for licensure or certification as provided for in [Section 6-190](#) of this title. If the person has not obtained valid certification or licensure by the first day of the ensuing school year, the contract shall be terminated.

(09)

[70 O.S. §6-101.23](#)

F. No teacher shall be hired on a temporary contract by a school district for more than four semesters or on multiple temporary contracts by a school district that together are for more than four semesters, except for a:

- 1. Teacher hired to replace a teacher who is on an approved leave of absence and who is expected to return to employment with the school district; or*
- 2. Teacher who is a retired member of the Teachers' Retirement System of Oklahoma.*

(13)

70 O.S. § 6-127 – Teacher's Assistant or Volunteer – Bilingual Assistant

A. Beginning with the 1990-91 school year, every school site shall employ a teacher's assistant or use a volunteer for each class in grades kindergarten through two which has a class size of more than twenty (20) students in average daily membership as of September 15 of each year and which is composed of students, at least twenty percent (20%) of whom meet the criteria specified in subsection B of this section; provided, this requirement shall not apply to classes that are not subject to class size limitations pursuant to subsection D of [Section 18-113.1](#) of this title or to pull-out sections for Chapter 1 or to Special Education students. Assistants shall be required as of September 15 of each year. The State Board of Education shall establish regulations that prescribe the qualifications for and duties of teacher assistants in public schools. The State Board of Education shall also establish standards and regulations which provide for a determination of how and when teacher assistants may be used as an appropriate and necessary part of classroom instruction. In addition to any other duties which the Board may deem appropriate, teacher assistants may perform or assist a classroom teacher in the performance of hallroom duty, bus duty, playground duty, lunchroom duty, extracurricular activities involving school functions or any other noninstructional duty the Board may prescribe. Provided, nothing in this section shall construe teacher assistants to be defined as personnel as set out in [Section 6-108](#) of this title or require teacher assistants to possess the certification required for teachers.

B. Any student who meets the criteria established by the State Board which are commensurate with established eligibility criteria for participation in the National School Lunch Act of 1946, [42 U.S.C. § 1751 et seq.](#) as amended, shall be included in the percentage necessary to meet the requirement of subsection A of this section for the entitlement to a teacher's assistant for such class.

C. For the purposes of this section, and for [Sections 18-113.1](#) and [18-113.2](#) of this title, a federally funded bilingual assistant shall not qualify as a teacher's assistant.

(90)

70 O.S. § 6-195 – Residency Program

A. The State Department of Education shall administer a residency program for teachers which shall be approved by the State Board of Education. For the 2014-2015 school year, each school district shall have the option of participating in the residency program. Beginning with the 2015-2016 school year, each school district shall participate in the residency program. The program shall be developed in consultation with the teacher education institutions, the Oklahoma Commission for Teacher Preparation and the district boards of education. The program shall include, but not be limited to:

- 1. Guidelines and assignments for resident teacher positions in the school districts;*
- 2. Requirements and guidelines for selection and appointment of mentor teachers which shall include any requirements specified in the Oklahoma Teacher Preparation Act;*

2014-2015 Standards for Accreditation of Oklahoma Schools

3. Guidelines for the appointment and functions of a residency committee; and

4. An appropriate professional development, support, mentorship and coaching program for the resident teacher.

B. Any person who has been issued a certificate to teach by the Board may be employed on a temporary or continuing contract basis as a resident teacher by an accredited school upon appointment by the district board of education or by a private or public provider of early childhood education programs as authorized in Section 11-103.7 of this title.

C. Upon placement of a certified teacher in a resident teacher position at a public school, the district board of education shall appoint the residency committee members, as prescribed in the Oklahoma Teacher Preparation Act, who shall have the following duties:

1. Meet with the resident teacher as may be required by the Board;

2. Work with the resident teacher to assist in all matters concerning classroom management and professional development for that teacher; and

3. Provide professional support, mentorship and coaching for the resident teacher.

D. All resident years shall count toward salary, fringe benefit adjustments, career status and retirement.

E. Upon employment of a certified teacher in a resident teacher position by a private or public provider of early childhood education programs pursuant to a contract as authorized in Section 11-103.7 of this title and upon employment of a teacher with an alternative placement teaching certificate, the district board of education shall appoint the residency committee members, as prescribed in the Oklahoma Teacher Preparation Act. The residency committee members shall have the same duties as prescribed in subsection D of this section.

F. Nothing in this act shall be construed as requiring employment at the resident level before a standard certificate can be issued to a teacher.

G. The professional development program shall commence with the residency year and shall require continuing education throughout the career of a teacher. (14)

OAC 210:20-9-102. Career development program for paraprofessionals

(a) **Paraprofessional credential.** The State Department of Education shall issue a paraprofessional credential to an applicant who meets all of the following requirements:

(1) Has ~~has~~ a high school diploma or a General Educational Development (GED) Diploma;

(2) Has ~~has~~ met a career development paraprofessional program approved by the State Board of Education; and

2014-2015 Standards for Accreditation of Oklahoma Schools

(3) ~~Has~~ ~~has~~ on file with the Board a current Oklahoma criminal history record from the Oklahoma State Bureau of Investigation as well as a national fingerprint-based criminal history record provided by the Federal Bureau of Investigation. Upon receipt of the Oklahoma criminal history record, the Board may issue a temporary credential which shall be effective until receipt of the national fingerprint-based criminal history record. The person applying for a credential shall be responsible for the cost of the criminal history records.

(b) **Provisional teaching certificates - paraprofessional.** The State Department of Education shall issue a one-year provisional teaching certificate, renewable for up to three years, in early childhood, elementary education, or special education ~~teaching license~~ to a paraprofessional who meets all of the following requirements:

(1) Has been employed for one full school year (i.e., two consecutive semesters, three consecutive trimesters, or four consecutive quarters) with a public school as a paraprofessional in the area for which a license is being pursued. For purposes of this paragraph, experience obtained while teaching with a non-traditional certification in special education issued in accordance with the provisions of 210:20-9-105 shall not count toward the one year experience requirement;

(2) Has ~~a~~ earned at least a bachelor's degree from an accredited college or university whose accreditation is recognized by the Oklahoma State Regents for Higher Education and has attained a cumulative grade point average of not less than 2.5 on a 4.0 scale;

(3) Has passed all of the following teacher competency examinations adopted by the Oklahoma Commission for Teacher Preparation prior to July 1, 2014, or adopted by the Commission for Educational Quality and Accountability on and after July 1, 2014:

(A) The Oklahoma General Education Test (OGET);

(B) ~~The the Early Childhood or Elementary Education or Special Education~~ Oklahoma Subject Area Test (OSAT) in Early Childhood, Elementary Education, or Special Education; and

(C) ~~The the~~ Oklahoma Professional Teaching Exam (OPTE) (PK-8);

(4) Has on file with the State Board of Education a current Oklahoma criminal history record from the Oklahoma State Bureau of Investigation as well as a national fingerprint-based criminal history record provided by the Federal Bureau of Investigation. Upon receipt of the Oklahoma criminal history record, the Board may issue a temporary credential which shall be effective until receipt of the national fingerprint-based criminal history record. The person applying for a credential shall be responsible for the cost of the criminal history records;

(5) Has made application to the Oklahoma State Department of Education.

~~(6) The individual shall be reported on the certified personnel report and be considered as any other certified employee.~~

(7c) **Standard teaching certificate - paraprofessional.** The State Department of Education shall issue a standard teaching certificate to individuals who have met all of the requirements of (b) of this section and met all of the following requirements:

(1) The applicant has successfully completed at least one (1) full school year (i.e., two consecutive semesters, three consecutive trimesters, or four consecutive

2014-2015 Standards for Accreditation of Oklahoma Schools

quarters) of teaching service in a public school accredited by the State Board of Education; upon successful completion of a residency year program and

(2) The applicant provides at least two (2) favorable recommendations for granting a standard teaching certificate to the applicant from:

(A) A school district board of education; and

(B) The chair or director of the accredited teacher preparation program in which the applicant completed the coursework requirements set forth in (3) of this subsection.

(3) Within three (3) years of initial issuance of the provisional teaching certificate in accordance with the provisions of (b) of this Section, the applicant has successfully completed twelve (12) semester hours of professional education coursework from an accredited institution of higher education whose accreditation is recognized by the Oklahoma State Regents for Higher Education. The twelve (12) hours of coursework required by this paragraph shall consist of coursework that:

(A) Is offered in a which has an accredited teacher preparation program that has been accredited by the Oklahoma Commission for Teacher Preparation prior to July 1, 2014 or accredited by the Commission for Educational Quality and Accountability on and after July 1, 2014; related to the license sought;

(B) Is related to the area of teacher certification sought;

(C) Includes including a minimum of three (3) semester hours in reading instruction.; and, from a higher education program accredited by the Oklahoma Commission for Teacher Preparation.

(6d) **Reporting.** Any The individual who has been issued a provisional certificate in accordance with the provisions of (b) of this Section shall be reported on the certified personnel report and be considered as any other certified employee. (14)

OAC 210:20-9-105. Non-traditional certification in special education

(a) **Provisional certificates in special education for qualified applicants.** Notwithstanding any other rule in this Part, upon payment of the required processing fee for a provisional certificate set forth in 210:20-9-9, the Oklahoma State Department of Education shall issue a one -year provisional certificate to teach in the area of mild-moderate or severe-profound disabilities to any qualified applicant. An applicant will be considered "qualified" if the applicant has met the following criteria:

(1) Applicant provides a written recommendation for a certificate by a school district board of education or an accredited institution of higher education;

(2) Applicant has satisfactorily completed a one-hundred fifty (150) clock hour special education program which has been approved annually by the State Department of Education Office of Special Education in accordance with the criteria approved by the State Board of Education; and

(3) A national criminal history record check of the applicant has been conducted in accordance with the requirements of 70 O.S. § 5-142, the cost of which shall be paid by the Applicant.

(b) **Renewal of a provisional certificate in special education.** The one-year provisional

2014-2015 Standards for Accreditation of Oklahoma Schools

certificate issued in accordance with the provisions of (a) of this Section may be renewed for up to two (2) additional periods of one-year each upon submission of proof from an accredited institution of higher education that the individual has successfully completed at least six (6) credit hours of prescribed coursework during the previous year in either:

- (1) A special education certification program in mild-moderate or severe-profound disabilities or;
- (2) A master's degree program in special education.

(c) Standard certificates in special education for provisional certificate holders.

Notwithstanding any other rule in this Part, upon payment of the required processing fee for a standard certificate set forth in 210:20-9-9, the Oklahoma State Department of Education shall issue a standard certificate to teach in the area of mild-moderate or severe-profound disabilities to any individual who has:

- (1) Been issued one or more provisional certificates in accordance with (a) and (b) of this Section;
- (2) Successfully completed the subject area competency examination as required by [70 O.S. § 6-187](#); and
- (3) Successfully completed within three (3) years of issuance of the original provisional certificate the prescribed coursework and any required examinations of either:
 - (A) An alternative route to certification program in either mild-moderate or severe-profound disabilities from an accredited institution of higher education; or
 - (B) The prescribed coursework and any required examinations of a master's degree program in special education from an accredited institution of higher education.

(d) Standard certificates in special education for individuals with a master's degree in special education. Notwithstanding any other rule in this Part, upon payment of the required processing fee for a standard certificate set forth in 210:20-9-9, the Oklahoma State Department of Education shall issue a standard certificate to teach in the area of mild-moderate or severe-profound disabilities to any individual who has met all of the following requirements, without requiring applicant to first obtain a provisional certificate:

- (1) Applicant has successfully completed the prescribed coursework and any required examinations of a master's degree program in special education from an accredited institution of higher education;
- (2) Applicant has successfully completed the subject area competency area examination as required by [70 O.S. § 6-187](#); and
- (3) A national criminal history record check of the applicant has been conducted in accordance with the requirements of [70 O.S. § 5-142](#), the cost of which shall be paid by the Applicant.

(e) Highly qualified status. Teachers who hold a provisional certificate issued or renewed in accordance with (a) or (b) of this Section who do not provide direct instruction in a "core academic area" as defined by [20 U.S.C. § 7801\(11\)](#) are not required to meet the requirements for "highly qualified" status. Teachers who obtain a provisional certificate who are unable to meet the requirements for obtaining "highly qualified" status may still provide indirect services in core academic areas. Examples of these indirect services include co-teaching,

2014-2015 Standards for Accreditation of Oklahoma Schools

servicing in a resource room, or provision of supplemental instruction. Teachers who hold a provisional certificate issued or renewed in accordance with (a) or (b) of this Section who do provide direct instruction in a "core academic area" must obtain highly qualified status as follows:

(1) Core academic areas - secondary education. Teachers who hold a provisional certificate issued or renewed in accordance with (a) or (b) of this Section who provide direct instruction in a "core academic area" as defined by [20 U.S.C. § 7801\(11\)](#) cannot be considered a special education teacher who is "highly qualified" in secondary education unless they have met all of the following requirements:

(A) Hold a bachelor's degree; and

(B) Successfully completed the appropriate competency examinations in each core academic area taught, or, if the teacher is not new to the profession (i.e., was a certified teacher prior to December 3, 2004), demonstrated competency in each core academic area taught through a High, Objective, Uniform State Standard of Evaluation (HOUSSE).

(2) Core academic areas – early childhood and elementary education. Teachers who hold a provisional certificate issued or renewed in accordance with (a) or (b) of this Section who provide direct instruction in a "core academic area" as defined by [20 U.S.C. § 7801\(11\)](#) cannot be considered a special education teacher who is "highly qualified" in early childhood or elementary education unless they have met all of the following requirements:

(A) Obtained a standard certificate;

(B) Hold a bachelor's degree;

(C) Successfully completed an accredited teacher preparation program approved by the Oklahoma Commission for Teacher Preparation in accordance with the provisions of [OAC 712:10-5](#); and

(D) Successfully completed the appropriate competency examinations in early childhood or elementary education in accordance with the requirements set forth in [70 O.S. § 6-187](#), or, if the teacher is not new to the profession (i.e., was a certified teacher prior to December 3, 2004), demonstrated competency in early childhood or elementary education through a High, Objective, Uniform State Standard of Evaluation (HOUSSE).

(3) Core academic areas – alternate achievement standards. Notwithstanding (1) and (2) of this subsection, teachers who hold a provisional certificate issued or renewed in accordance with (a) or (b) of this Section who provide direct instruction in a "core academic area" as defined by [20 U.S.C. § 7801\(11\)](#) cannot be considered a special education teacher who is "highly qualified" to teach alternate achievement standards unless they have met all of the following requirements:

(A) Obtained a standard certificate;

(B) Hold a bachelor's degree;

(C) Successfully completed an accredited teacher preparation program approved by the Oklahoma Commission for Teacher Preparation in accordance with the provisions of [OAC 712:10-5](#); and

(D) Successfully completed the appropriate competency examinations in early childhood or elementary education in accordance with the

2014-2015 Standards for Accreditation of Oklahoma Schools

requirements set forth in [70 O.S. § 6-187](#), or, if the teacher is not new to the profession (i.e., was a certified teacher prior to December 3, 2004), demonstrated competency in early childhood or elementary education through a High, Objective, Uniform State Standard of Evaluation (HOUSSE).

(f) Additional certification in early childhood or elementary education. Teachers who obtain a standard certificate under (c) of this Section may add a certification in early childhood or elementary education upon successful completion of:

(1) An accredited teacher preparation program approved by the Oklahoma Commission for Teacher Preparation in accordance with the provisions of [OAC 712:10-5](#); and

(2) The appropriate competency examinations in early childhood or elementary education in accordance with the requirements set forth in [70 O.S. § 6-187](#).

(14)

[OAC 210:20-9-110. Alternative placement teaching certificates](#)

(a) Issuance of provisional alternative teaching certificates. The State Department of Education shall issue a three (3) year, nonrenewable provisional alternative placement teaching certificate to an individual who completes the application for an alternative placement teaching certificate and submits all documentation necessary to verify that the applicant meets all of the following criteria:

(1) The applicant holds at least a baccalaureate degree from an institution whose accreditation is recognized by the Oklahoma State Regents for Higher Education and has attained a retention/graduation grade point average of not less than 2.50 on a 4.0 scale;

(2) The applicant has either:

(A) Earned a major in a field of study that corresponds to an area of specialization for an Elementary-Secondary Certificate, a Secondary Certificate or a career-technical certificate; or

(B) Provided a letter from the registrar or academic dean of the college or school from which the applicant graduated verifying that the applicant has completed a major in a field that corresponds to an area of specialization for an Elementary-Secondary Certificate, a Secondary Certificate or a career-technology certificate;

(3) The applicant can document either:

(A) Two (2) years of work experience in the applicant's degree field area, unless the applicant is participating in the federal Troops to Teachers Program; or

(B) Completion of post-baccalaureate coursework in the applicant's degree field area;

(sic) (3) The applicant declares the intention to earn standard certification by means of an alternative placement program that meets the requirements of [70 O.S. § 6-122.3](#) in not more than three (3) years;

(4) The applicant has passed all of the following teacher competency examinations:

(A) The Oklahoma General Education Test (OGET); and

2014-2015 Standards for Accreditation of Oklahoma Schools

(B) The Oklahoma Subject Area Test (OSAT) in the area of specialization for which certification is sought;

(5) The applicant provides one of the following types of documentation:

(A) A letter from an accredited Oklahoma public school district offering employment to the applicant in the area of specialization for which the applicant seeks certification that is conditioned upon the applicant's enrollment in an alternative certification program approved by the State Board of Education; or

(B) A letter from the applicant declaring the applicant's intention to seek employment as a teacher in an Oklahoma public school district accredited by the Oklahoma State Department of Education; and

(6) The applicant has received a favorable recommendation for certification from the Teacher Competency Review Panel (TCRP) for evaluation of the applicant's qualifications and career accomplishments.

(b) Requirements for enrollment in an alternative certification program. As a prerequisite to enrollment in an alternative placement program set forth in [70 O.S. § 6-122.3](#), applicants shall meet all of the following requirements:

(1) The applicant has never been denied admittance to a teacher education program approved by the Oklahoma State Regents for Higher Education, the North Central Association of Colleges and Schools and by the Oklahoma Commission for Teacher Preparation to offer teacher education programs; and has never been enrolled in and subsequently failed courses necessary to successfully meet the minimum requirements of the program;

(2) The applicant has on file with the director of teacher education at an Oklahoma institution of higher education a plan for meeting standard certification requirements within three (3) years; and

(3) The applicant is participating in the teacher residency program set forth in [70 O.S. § 6-195](#), unless the residency program has been suspended for lack of funding.

(c) Issuance of standard alternative teaching certificates. The State Department of Education shall issue a standard teaching certificate to an individual who successfully completes all of the requirements set forth in (a) and (b) of this Section within three (3) years of the date of issuance of the applicant's provisional alternative teaching certificate and meets all of the following requirements:

(1) The applicant has passed the Oklahoma Professional Teaching Exam (OPTE) for either elementary/middle level or secondary level; and

(2) The applicant has completed all professional education requirements of the alternative placement program set forth in [70 O.S. § 6-122.3](#).

(d) No student teaching experience required. Student teaching and/or prestudent teaching field experience shall not be required of alternative program applicants as a condition of receiving a provisional or standard certificate pursuant to the provisions of this Section.

(e) State Board of Education exceptions. In accordance with the requirements of [70 O.S. § 6-122.3](#), the State Board of Education may grant a waiver or exception to any of the requirements of this Section and may grant a certificate upon demonstration of specific competency in the subject area of specialization by the applicant. **(14)**

2014-2015 Standards for Accreditation of Oklahoma Schools

OAC 210:20-9-152. General competencies for licensure and certification

The general competencies for licensure and certification are:

(1) **Learner development.** The teacher understands how learners grow and develop, recognizing that patterns of learning and development vary individually within and across the cognitive, linguistic, social, emotional, and physical areas, and designs and implements developmentally appropriate and challenging learning experiences.

(2) **Learner differences.** The teacher uses understanding of individual differences and diverse cultures and communities to ensure inclusive learning environments that enable each learner to meet high standards.

(3) **Learning environments.** The teacher works with others to create environments that support individual and collaborative learning, and that encourage positive social interaction, active engagement in learning, and self motivation.

(4) **Content knowledge.** The teacher understands the central concepts, tools of inquiry, and structures of the discipline(s) he or she teaches and creates learning experiences that make these aspects of the discipline accessible and meaningful for learners to assure mastery of the content.

(5) **Application of content.** The teacher understands how to connect concepts and use differing perspectives to engage learners in critical thinking, creativity, and collaborative problem solving related to authentic local and global issues.

(6) **Assessment.** The teacher understands and uses multiple methods of assessment to engage learners in their own growth, to monitor learner progress, and to guide the teacher's and learner's decision making.

(7) **Planning for instruction.** The teacher plans instruction that supports every student in meeting rigorous learning goals by drawing upon knowledge of content areas, curriculum, cross-disciplinary skills, and pedagogy, as well as knowledge of learners and the community context.

(8) **Instructional strategies.** The teacher understands and uses a variety of instructional strategies to encourage learners to develop deep understanding of content areas and their connections, and to build skills to apply knowledge in meaningful ways.

(9) **Professional learning and ethical practice.** The teacher engages in ongoing professional learning and uses evidence to continually evaluate his/her practice, particularly the effects of his/her choices and actions on others (learners, families, other professionals, and the community), and adapts practice to meet the needs of each learner.

(10) **Leadership and collaboration.** The teacher seeks appropriate leadership roles and opportunities to take responsibility for student learning, to collaborate with learners, families, colleagues, other school professionals, and community members to ensure learner growth, and to advance the profession.

[superseded standards omitted]

(14)

70 O.S. § 6-127A - Public School Paraprofessionals

The Oklahoma Legislature recognizes that public school paraprofessionals play an important role in educating school children and in assisting teachers. The Legislature further recognizes the increasing role of public school paraprofessionals in the school system in light of teacher shortages. To achieve the goal of excellence for all persons who have an impact on student learning, it is the intent of the Oklahoma Legislature that public school paraprofessionals be

2014-2015 Standards for Accreditation of Oklahoma Schools

afforded career opportunities and economic incentives through a career development program.

The State Board of Education shall adopt a program for the career development of public school paraprofessionals. The purpose of the program is to provide to public school paraprofessionals a system of career development which is based upon education and training advancement to encourage excellence among public school paraprofessionals. Nothing in this section shall be construed to require public school paraprofessionals to participate in the career development program.

For the purposes of this section, a public school paraprofessional is an employee of a school district whose position is either instructional in nature, or who delivers other direct services to students and/or their parents. A public school paraprofessional serves in a position for which a teacher or another professional has the ultimate responsibility for the design, implementation, and evaluation of the individual educational programs or related services and student performance.

(99)

51 O.S. § 36.1 Oath or Affirmation Required – Effective Date

Every officer and employee of the State of Oklahoma, or of a county, school district, municipality, public agency, public authority, or public district thereof, who, on or after July 1, 1953, is appointed or elected to office, or who after said date is employed, for a continuous period of thirty (30) days or more, in order to qualify and enter upon the duties of his office or employment and/or receive compensation, if any, therefor, shall first take and subscribe to the loyalty oath or affirmation required by this act and file the same as hereinafter set forth. Provided, that a public employee who is employed or whose employment is extended on a fiscal year basis and who has duly taken and filed the oath required by this act in order to qualify for and enter upon, or continue in, the duties of his employment, need not again take and file such an oath so long as his said employment, or reemployment is continuous or consecutive.

(53)

70 O.S. § 5-142(F)

F. 1. Any person who has been employed as a full-time teacher by a school district in this state and applies for employment as a full-time teacher in another school district in this state may not be required to have a national criminal history record check if the teacher produces a copy of a national criminal history record check completed within the preceding five (5) years and a letter from the school district in which the teacher was employed stating the teacher left in good standing.

2. For any person applying for employment as a substitute teacher, a national criminal history record check shall be required for the school year; provided however, a board of education may choose whether to require a national criminal history record check from a prospective substitute teacher who has been employed by the school district in the last year. Any person applying for employment as a substitute teacher in more than one school district shall only be required to have one national criminal history record check, and, upon the request of the

2014-2015 Standards for Accreditation of Oklahoma Schools

substitute teacher, that record check shall be sent to all other school districts in which the substitute teacher is applying to teach.

3. Any person employed as a full-time teacher by a school district in this state in the five (5) years immediately preceding an application for employment as a substitute teacher may not be required to have a national criminal history record check, if the teacher produces a copy of a national criminal history record check completed within the preceding five (5) years and a letter from the school district in which the teacher was last employed stating the teacher left in good standing.

4. Any person employed as a substitute teacher by a school district in this state for a minimum of five (5) years immediately preceding an application for employment as a full-time teacher in a school district in this state may not be required to have a national criminal history record check if the teacher produces a copy of a national criminal history record check completed within the preceding five (5) years and a letter from the school district in which the teacher was employed as a substitute teacher stating the teacher left in good standing.

5. Any person employed as a full-time teacher by a school district in this state for ten (10) or more consecutive years immediately preceding an application for employment as a substitute teacher in the same school district may not be required to have a national criminal history record check for as long as the person remains employed for consecutive years by that school district as a substitute teacher, if the teacher left full-time employment in good standing. If the teacher applies for employment as a substitute teacher in another school district, a national criminal history record check shall be required.

(13)

70 O.S. § 5-144 – Notifying School Districts of Arrest

A. If in the course of an investigation it is discovered that a person charged in an information or indictment with a felony or violent misdemeanor is a student or employee of a school district or a public school in the state, or an employee working on school property for an entity that provides services to a school district or a public school on school property, with due regard for the provisions of subsection [C of Section 2-6-102 of Title 10A](#) of the Oklahoma Statutes, the district attorney shall notify the superintendent of the district of the charges filed against the student or employee. In addition to notifying the superintendent of the district when charges have been filed against an employee of the school district, the district attorney shall notify the State Board of Education.

B. The school district may take any action it deems necessary that is in compliance with the requirements of the Family Educational Rights and Privacy Act of 1974 with regard to such information.

C. When an employee of the school district has been convicted, whether upon a verdict or plea of guilty or nolo contendere, or received a suspended sentence or any probationary term for a crime provided for in subparagraph a of paragraph 6 of [Section 3-104](#) of this title, the district court shall notify the State Board of Education of said conviction, if the district court has

2014-2015 Standards for Accreditation of Oklahoma Schools

discovered during the course of the proceedings that the person is an employee of a school district. (13)

70 O.S. § 6-101.22 – Reasons for Dismissal of Career Teachers

F. A teacher may be dismissed, refused employment or not reemployed after a finding that such person has engaged in criminal sexual activity or sexual misconduct that has impeded the effectiveness of the individual's performance of school duties. As used in this subsection:

- 1. "Criminal sexual activity" means the commission of an act as defined in [Section 886 of Title 21](#) of the Oklahoma Statutes, which is the act of sodomy; and*
- 2. "Sexual misconduct" means the soliciting or imposing of criminal sexual activity.*

H. A school district shall notify the State Board of Education within ten (10) days of the dismissal or nonreemployment of a probationary or career teacher for reasons outlined in subsection F of this section.

(13)

ADDITIONAL STANDARDS FOR ELEMENTARY SCHOOLS

OAC 210:35-5-41. Early childhood staffing and class size

The number of children in an early childhood education class shall not exceed 20. The child:adult ratio shall not exceed 10:1. Any enrollment that exceeds 10 shall require the employment of a teacher assistant. (92)



E

OAC 210:35-5-42. Elementary School Class Size

(a) Kindergarten

For the purpose of computing and paying state appropriated funds, children in kindergarten shall not be assigned to a teacher or class that includes more than 20 students. If the creation of an additional class would cause the class to have fewer than 10 students, class size limitations shall not apply if a teacher's assistant is employed to serve full-time with each class which exceeds the class size limitation.

(b) Grades One, Two, and Three

For the purpose of computing and paying state-appropriated funds, children in Grades 1, 2, and 3 shall not be assigned to a teacher or class that includes more than 20 students. If the creation of an additional class would cause the class to have fewer than 10 students, class size limitations shall not apply if a teacher's assistant is employed to serve full-time with each class which exceeds the class size limitation.

(c) Grades Four, Five, and Six

For the purpose of computing and paying state-appropriated funds, children in Grades 4, 5, and 6 shall not be assigned to a teacher of a class that includes more than 20 students. If the creation of an additional class would cause the class to have fewer than 16 students, the class size penalty shall not apply. [\[70 O.S. § 18-113.1 \(B\)\]](#) For the purpose of computing and paying state-appropriated funds, if a school district groups its grades as Grades 1 through 5, Grades 6 through 8, and Grades 9 through 12, then as to such

2014-2015 Standards for Accreditation of Oklahoma Schools

district the class size provisions of (c) (1) of this section shall apply to Grades 4 and 5 rather than Grades 4 through 6 and the class size provisions of (d) (1) of this section shall apply to Grades 6 through 8 rather than Grades 7 through 9. [70 O.S. § 18-113.1 (D)]

(d) **Grades Seven and Eight**

No teacher who is counted in class size computation for Grades 7 and 8 shall be responsible for the instruction of more than 140 students on any given 6-hour school day. [70 O.S. § 18-113.3 (C)]

(e) *Physical Education, Chorus, Band, Orchestra, other similar Music classes. Classes in Physical Education, Chorus, Band, Orchestra, and other similar music classes shall not be subject to the class size limitations. [70 O.S. § 18-113.1 (C)]*

(f) **Minimum scheduled time for planning and/or preparation and consultation.** A minimum of 200 minutes of scheduled time shall be provided each week for each classroom teacher for individual planning and/or preparation and consultation. **(98)**

OAC 210:35-5-43. Administrative staffing

In order to permit the principal to have sufficient time to engage in improvement of instruction in the school, adequate administrative staffing is required. **(92)**

OAC 210:35-5-44. Counselor staffing

The school shall provide for guidance services. Such services may be provided by a guidance counselor or other personnel specially trained in the area of guidance. **(92)**

OAC 210:35-5-45. Qualifications

(a) **Teachers**

All elementary teachers shall meet the regular elementary certification standards of the state of Oklahoma for their specific assignments.

(1) Teachers of early childhood or kindergarten classes shall hold a valid Early Childhood Education License/Certificate.

(2) Teachers of first through third grade shall hold either a valid Early Childhood Education (PK-3) or a valid Elementary License/Certificate (1-8).

(3) Elementary Licenses/Certificates are valid for grades seven and eight in the elementary schools with the exception of seventh and eighth grade mathematics. Teachers of seventh or eighth grade mathematics are required to have intermediate mathematics certification or advanced/secondary mathematics certification. Secondary and elementary-secondary certified teachers in grades seven and eight in an accredited elementary school shall hold a credential in each subject area to be taught.

(b) **Specialists**

Specialists such as **library media specialists** (librarians), **reading specialists**, **guidance counselors**, **school psychologists**, and **speech-language pathologists** shall meet the certification requirements of the state of Oklahoma.

(1) School counselors shall hold a valid Oklahoma School Counselor Certificate appropriate for the grade levels to which they are assigned.

(2) All **athletic coaches** being assigned coaching duties shall have completed a course in the care and prevention of athletic injuries.

2014-2015 Standards for Accreditation of Oklahoma Schools

(3) All **coaches** and **athletic directors** shall be employed by the school district and shall hold a valid teaching certificate. Their names shall appear on the class schedule.

(c) **Principal or assistant principal**

The principal or assistant principal shall hold a valid Oklahoma Elementary Principal's Certificate. A teaching principal or assistant teaching principal shall have an Elementary Principal's Certificate, shall teach at the school site and organizational level where the administrative assignment occurs, and shall devote a portion of the day to administration and supervision. (07)

ADDITIONAL STANDARDS FOR MIDDLE LEVEL SCHOOLS

OAC 210:35-7-41. Staffing: pupil/professional staff ratio

- (a) *For the purpose of computing and paying state-appropriated funds, if a school district groups its grades as grades 1 through 5, grades 6 through 8, and grades 9 through 12, then as to such district the class size provisions for grades 7 through 9 in [70 O.S. § 18-113.3](#) shall apply to grade 6. [[70 O.S. § 18-113.1](#) (D)]*
- (b) *No teacher who is counted in class size computation for Grades 6, 7, 8, and 9 shall be responsible for the instruction of more than 140 students on any given 6 hour school day. [[70 O.S. § 18-113.3](#) (C)]*
- (c) *Classes in Physical Education, Chorus, Band, Orchestra, and other similar music classes shall not be subject to the class size limitations. [[70 O.S. § 18-113.1](#) (C)]*
- (d) *To enhance the safety of students enrolled in industrial arts/technology education/TechConnect classes, consideration should be given to the facilities and only the number of students equal to the work stations shall be enrolled. No more than 24 students shall be assigned to any class.*
- (e) *A minimum of 200 minutes of scheduled time shall be provided each week for each classroom teacher for individual planning and/or preparation and consultation. (00)*

OAC 210:35-7-42. Administrative staffing

In order to permit the principal to have sufficient time to engage in the improvement of instruction in the school, adequate administrative staffing is required. If a full-time principal administers more than one site, the combined enrollment at the sites should not exceed 450 students. (92)

OAC 210:35-7-43. Counselor staffing

All students will receive counseling and guidance services from certified school counselors. The guidance program shall provide one counselor for a maximum of 450 students, with no school district having less than one half-time counselor, with one exception: districts with fewer than 225 students may prorate the number of hours per week a certified school counselor is required by dividing the number of students enrolled by 450 and multiplying the quotient by 30. (05)

OAC 210:35-7-44. Staff qualifications



2014-2015 Standards for Accreditation of Oklahoma Schools

- (a) Each teacher assigned to teach in an accredited middle level school must hold an Elementary Certificate, or Elementary-Secondary or Secondary Certificate, Library Media Specialist (Librarian) or Speech-Language Pathology License/Certificate with a credential in the area to be taught. Teachers of seventh or eighth grade mathematics are required to have intermediate mathematics certification or advanced/secondary mathematics certification. Teachers holding an Elementary Certificate shall be eligible to teach only Grades 7 and 8 in an accredited junior high school. Teachers teaching in the ninth grade must hold a secondary credential in the specific subject taught. Any teacher with certification or endorsement to teach mathematics at the secondary level may teach mathematics in grade five.
- (1) Teachers of **exploratory subjects**, work experience, precareer/career technology, and other subjects must hold a valid certificate for the respective field issued by the State of Oklahoma.
- (b) **School counselors** shall hold a valid Oklahoma School Counselor Certificate appropriate for the grade levels to which they are assigned.
- (c) The **library media specialist** (librarian) shall hold a valid Oklahoma Library Media Specialist (Librarian) Certificate.
- (d) The **middle school principal** or **assistant principal** shall hold a valid Oklahoma Elementary or Secondary Principal's Certificate. The junior high principal or assistant principal shall hold a valid Oklahoma Middle Level Principal's Certificate or Secondary Principal's Certificate. A teaching principal or assistant teaching principal shall have a Principal's Certificate appropriate to the grade level of the school; shall teach at the school site and organizational level where the administrative assignment occurs; and shall devote a portion of the day to administration and supervision.
- (e) All **athletic coaches** being assigned coaching duties shall have completed a course in the care and prevention of athletic injuries.
- (f) All **coaches** and **athletic directors** shall be employed by the school district and shall hold a valid teaching certificate. Their names shall appear on the class schedule. **(07)**

ADDITIONAL STANDARDS FOR SECONDARY SCHOOLS

OAC 210:35-9-41. Staffing: pupil/professional staff ratio

- (a) *No teacher who is counted in class size computation for Grades 9, 10, 11, and 12 shall be responsible for the instruction of more than 140 students on any given 6 hour school day.* [[70 O.S. §18-113.3](#) (C)]
- (b) *Classes in Physical Education, Chorus, Band, Orchestra, and other similar music classes shall not be subject to the class size limitations.* [[70 O.S. §18-113.1](#) (C)]
- (c) To enhance the safety of students enrolled in industrial arts/technology education classes, consideration should be given to the facilities and only the number of students equal to the work stations shall be enrolled. No more than 24 students shall be assigned to any class.



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2014-2015 Standards for Accreditation of Oklahoma Schools

- (d) A minimum of 225 minutes of scheduled time shall be provided each week for each classroom teacher for individual planning and/or preparation and consultation during the instructional day. **(06)**

OAC 210:35-9-42. Administrative staffing

In order to permit the principal to have sufficient time to engage in improvement of instruction in the school, adequate administrative staffing is required. If a full-time principal administers more than one site, the combined enrollment at the sites should not exceed 450 students. **(01)**

OAC 210:35-9-43. Counselor staffing

All students will receive counseling and guidance services from certified school counselors. The guidance program shall provide one counselor for a maximum of 450 students, with no school district having less than one half-time counselor, with one exception: districts with fewer than 225 students may prorate the number of hours per week a certified school counselor is required by dividing the number of students enrolled by 450 and multiplying the quotient by 30. **(05)**

OAC 210:35-9-44. Staff qualifications

- (a) Teachers at the secondary level shall hold valid Oklahoma teaching licenses/certificates appropriate to the specific subjects taught.
- (b) Any teacher who instructs **Aeronautics** shall have a private pilot license or a basic ground instruction certificate issued by the **FAA** or shall hold valid certification in physical science or physics.
- (c) Any teacher who instructs **Careers** shall hold a Secondary or Elementary-Secondary License/Certificate.
- (d) Any teacher who instructs **Computer Education** shall hold a valid certificate. The employing district will make the assignment based on expertise as determined by the local school board.
- (e) Any teacher who instructs **Photography** shall hold a valid certificate.
- (f) All **athletic coaches** being assigned coaching duties shall have completed a course in the care and prevention of athletic injuries.
- (g) All **coaches** and **athletic directors** shall be employed by the school district and shall hold valid teaching certificates. Their names shall appear on the class schedule and Application for Accreditation. **(07)**

OAC 210:35-9-45. Special professional service personnel

(a) Counselor

School counselors shall hold a valid Oklahoma School Counselor Certificate appropriate to the grade levels to which they are assigned.

(b) Library media specialist (Librarian)

Library media specialists (librarians) shall hold valid Oklahoma Library Media Specialist (Librarian) Certificates. **(92)**

OAC 210:35-9-46. Qualifications of administrative personnel

2014-2015 Standards for Accreditation of Oklahoma Schools

The **principal** or **assistant principal** shall hold a valid Oklahoma Secondary Principal's Certificate. A teaching principal or assistant teaching principal shall hold a Secondary Principal's Certificate; shall teach at the school site and organizational level where the administrative assignment occurs; and shall devote a portion of the day to administration and supervision. **(98)**

ADDITIONAL STANDARDS FOR CAREERTECH /COMPREHENSIVE SECONDARY SCHOOLS

OAC 210:35-11-41. Staff qualifications

- (a) Directors of *CareerTech* programs in comprehensive schools shall hold valid Oklahoma administrator certificates appropriate for their assigned teaching/administrative responsibilities and shall meet qualifications as defined in the approved Rules for Career and Technology Education.
- (b) Teachers of career and technology education courses shall hold a teaching license/certificate in the field or subject taught.
- (c) Counselors shall be appropriately certified and credentialed for the grade levels to which they are assigned. School counselors shall hold a valid Oklahoma School Counselor Certificate appropriate for the grade levels to which they are assigned or a comparable credential if working with adults. The title of counselor should only be applied to those staff with appropriate certifications and/or credentialing. **(06)**

OAC 210:35-11-42. Professional development

Instructors shall participate in ongoing inservice activities which continually update their technical/academic expertise as well as instructional methodology. New *CareerTech* instructors shall participate in preservice professional development activities as required by the appropriate divisions of the Oklahoma Department of Career and Technology Education. All secondary and full-time adult *CareerTech* instructors and staff shall participate in professional inservice as required by the appropriate division, including summer *CareerTech* conference and mid-year activities. **(06)**



STANDARD VI

STUDENT SERVICES

In this standard:

- **GUIDANCE AND COUNSELING SERVICES**
 - School must have a guidance and counseling program that includes:
 - Services facilitating understanding of self and environment
 - Planned sequential program of group guidance activities
 - Provider who consults with parents; makes necessary referrals
 - Coordination of guidance and counseling services with other school staff and community resources
- **HEALTH SERVICES**
 - A nurse shall be available
 - School must develop procedures for accidents, emergencies, disasters
 - School must develop procedures for reporting child abuse/neglect
- **MANDATORY CPR INSTRUCTION FOR HIGH SCHOOL STUDENTS**
 - Required beginning 2015-2016
- **MANDATORY CPR/HEIMLICH TRAINING**
 - For one teacher and one other staff member at each school site
- **EMERGENCY ADMINISTRATION OF ANAPHYLAXIS MEDICATION**
 - Schools that stock epinephrine injectors must develop policies for use
- **VISION SCREENING**
- **HEALTHY AND FIT SCHOOL ADVISORY COMMITTEE**
 - Required for each school site; must meet and make recommendations
 - May be separate entity, or combined with Safe School Committee
- **NATIONAL SCHOOL LUNCH PROGRAM**
- **SCHOOL BREAKFAST PROGRAM**
- **SUMMER FOOD SERVICE PROGRAM FOR CHILDREN**
- **RESTRICTING ACCESS TO FOODS OF MINIMAL NUTRITIONAL VALUE**
- **ADDITIONAL STANDARDS FOR CAREERTECH/COMPREHENSIVE SECONDARY SCHOOLS**
 - Guidance and counseling services

STANDARD VI
STUDENT SERVICES

OAC⁶ 210:35-3-101. Student services

Balanced and comprehensive student personnel services shall be provided for all students, including those students unable to gain maximum benefit from usual school experiences without specialized educational programs. Each school shall exhibit regard for the physical, mental, and emotional health of all its students, as well as provide for the necessary facilities, clerical help, and materials for effective implementation services. Adequate and appropriate space affording privacy shall be provided. **(92)**

OAC 210:35-3-106. Guidance and counseling services

- (a) The counseling staff, parents, administrators, and others shall provide guidance and counseling program direction through involvement in assessment and identification of student needs.
- (b) The school shall develop a written description of a guidance and counseling program with special provisions for at-risk students. The program shall address assessed needs of all students, including those who are identified as at-risk, and shall establish program goals, objectives, and an evaluation.
- (c) Each school shall provide an organized program of guidance and counseling services.
 - (1) Counseling services shall be provided to students, in group or individual settings, that facilitate understanding of self and environment.
 - (2) The counseling services shall provide a planned sequential program of group guidance activities that enhance student self-esteem and promote the development of student competence in the academic, personal/social, and career/vocational areas.
 - (3) The provider of counseling services shall consult with staff members, parents, and community resources and make appropriate referrals to other specialized persons, clinics, or agencies in the community.
 - (4) Counseling and guidance services shall be coordinated and shall work cooperatively with other school staff, community resources, and other educational entities.
- (d) Each counselor shall follow a planned calendar of activities based on established program goals and provide direct and indirect services to students, teachers, and/or parents. **(92)**

OAC 210:35-3-107. Health services

- (a) The school shall have a written description of the health services program. The program will function as an integral part of the total education program and provide a

⁶ PLEASE NOTE: The Oklahoma Administrative Code is available online, but only permits linking to the front page. To view OAC material, click on the hyperlinked "OAC", then select "View Code" from the options at the left side of the screen. Select the appropriate Title (210 for State Department of Education), then chapter number and subchapter, until you have reached the desired code section.

2014-2015 Standards for Accreditation of Oklahoma Schools

program of services for all students. Services of a nurse shall be available. Staff and patrons shall be made aware of program provisions.

- (b) The school shall develop specific procedures to be followed in cases of accidents, emergencies, and disasters.
- (c) The provider of health services shall communicate to appropriate staff members and parents health information that is pertinent to the learning process or for the safety of students while ensuring privacy for students and teachers through collection, use, and retention of personal information.
- (d) The school's staff shall work closely with other specialized persons, clinics, or agencies in the community and, when appropriate, shall make student referrals.
- (e) The school shall develop specific procedures for reporting child abuse and child neglect.

70 O.S. § 1210.199(B)

B. ~~All Beginning with the 2015-2016 school year, all students enrolled in physical education in classes in grades nine through twelve in the public schools of this state may receive instruction in the techniques of~~ shall receive instruction in cardiopulmonary resuscitation and the Heimlich maneuver sufficient to enable the students to give emergency assistance to victims of cardiac arrest or choking awareness of the purpose of an automated external defibrillator, in accordance with subsection C of this section, at least once between ninth grade and graduation from high school. The instruction may be provided as a part of any course. A school administrator may waive the curriculum requirement required by this subsection for an eligible student who has a disability. A student shall not be required to meet the requirement of this subsection if a parent or guardian of the student objects in writing. All students enrolled in a virtual charter school in grades nine through twelve shall not be subject to the requirements of this section. All students enrolled in physical education classes in grades nine through twelve may receive instruction in the techniques of the Heimlich maneuver.

(14)

70 O.S. § 1210.199 (D)

D. Each public school district board of education shall ensure that a minimum of one certified teacher and one noncertified staff member at each school site receives training in cardiopulmonary resuscitation and the Heimlich maneuver each year.

(05)

OAC 210:10-1-21. Emergency administration of anaphylaxis medication in public schools

(a) General provisions. Every public school district board of education that elects to stock epinephrine injectors pursuant to the provisions of 70 O.S. § 1-116.3(B) shall adopt a policy and establish procedures to ensure safe administration of anaphylaxis medicine to a student in the event an emergency occurs while the student is attending school or participating in authorized school-sponsored activities on public school grounds. The State

2014-2015 Standards for Accreditation of Oklahoma Schools

Board of Education shall adopt a model policy which is made available to school districts for this purpose.

(b) Definitions. The following words and terms, when used in this Section, shall have the following meaning:

(1) "Medication" means a metered dose inhaler or a dry powder inhaler to alleviate asthmatic symptoms, prescribed by a physician and having an individual label, or an anaphylaxis medication used to treat anaphylaxis, including but not limited to Epinephrine injectors, prescribed by a physician and having an individual label.

(2) "Self-administration" means a student's use of medication pursuant to prescription or written direction from a physician.

(c) School district decisions to stock epinephrine injectors. Any school district that elects to stock epinephrine injectors pursuant to the provisions of [70 O.S. § 1-116.3\(B\)](#) shall ensure that its policy and procedures comply with all of the following requirements:

(1) Designation of primary school health professional. The superintendent shall be responsible for designating a primary school health professional at each school site. The duties of the primary school health professional at each site shall include:

(A) Responsibility for knowledge and execution of all policies and procedures pertaining to emergency administration of epinephrine injectors;

(B) Responsibility for obtaining epinephrine injectors at the school site;

(C) Responsibility for ensuring that epinephrine injectors are secured and safely stored at the school site;

(D) Responsibility for maintaining a list of students at each site for whom a valid waiver of liability executed by a parent or legal guardian is on file in accordance with the requirements of [70 O.S. § 1-116.3\(B\)\(2\)](#), and that the list is easily and quickly accessible to employees authorized to administer epinephrine injectors in emergency situations in which self-administration of medication by a student is not possible;

(E) Responsibility for maintaining a current list of all school employees authorized to administer emergency epinephrine injections at each school site; and

(F) Responsibility for proper storage, maintenance, and disposal of epinephrine injectors.

(2) Designation of school employees authorized to administer emergency epinephrine injectors. The superintendent shall ensure that each school site has designated a sufficient number of school employees at each site to ensure that an individual trained in the emergency administration of epinephrine injections is available on the school campus at all times during which students are present.

(3) Training in the use of epinephrine injectors. The superintendent shall ensure that all primary school health professionals and school employees authorized to administer emergency epinephrine injections designated in accordance with (1) and (2) of this subsection shall be provided with training in the recognition of the signs and symptoms of anaphylaxis and procedures for emergency administration of epinephrine injectors that meets the requirements of [70 O.S. § 1-116.3\(B\)\(1\)](#).

(14)

2014-2015 Standards for Accreditation of Oklahoma Schools

OAC 210:35-3-109. Vision Screening

All public school districts will report to the State Department of Education the number of Kindergarten, first and third grade students who submitted certification of a completed vision screening, and also the number of students who received a comprehensive eye examination from an optometrist or ophthalmologist. This report will be submitted annually by June 1st. (08)

70 O.S. § 1210.284(D) – Vision Screening - Recommendations on Standards - Comprehensive Eye Exam on Failure - Annual Reports

No student shall be prohibited from attending school for a parent's or guardian's failure to furnish a report of the student's vision screening or an examiner's failure to furnish the results of a student's comprehensive eye examination required by this section. (06)

OAC 210:35-3-110. Healthy and Fit School Advisory Committee

This section contains rules related to the Health and Fit Kids Act of 2004, as provided in [70 O.S. § 24-100a](#).

- (1) Representatives of the State Department of Education shall monitor each district annually to ensure that a Healthy and Fit School Advisory Committee has been established at each public school, and that such committee has met and made recommendations to the school principal regarding the following:
 - (A) Health education
 - (B) Physical education and physical activity
 - (C) Nutrition and health services
- (2) The Healthy and Fit School Advisory Committee, composed of teachers, administrators, parents of students, health care professionals, and business community representatives, may operate as a separate entity or be combined with the school's Safe School Committee, established pursuant to [70 O.S. § 24-100.5](#).
- (3) It should be determined that each school principal has given consideration to recommendations of the Healthy and Fit School Advisory Committee.
- (4) The monitoring official is authorized to report a school as deficient on the accreditation report for noncompliance with the provisions of [70 O.S. § 24-100.5](#). (07)

OAC 210:10-3-51. National School Lunch Program

(a) **Adult meal charges.** ~~The state agency~~ All school food authorities participating in the National School Lunch Program shall require that adults pay, at a minimum, the student price plus the reimbursement received for student meals. Adults other than food service employees cannot be served free of charge unless the local school district absorbs the cost.

(b) **Health standards.** All school food authorities participating in the National School Lunch Program shall develop and implement a written school food safety program at each facility or part of a facility where food is stored, prepared, or served that ensures preparation, service, and storage of food used in the National School Lunch Program complies with all applicable state, federal, county and local statutes and regulations pertaining to food handling and food safety, including but not limited to [42 U.S.C. § 1758\(h\)](#), [7 C.F.R. §210.13](#) and [OAC 310:257](#). In addition, all school food authorities shall comply with all of the following provisions:

2014-2015 Standards for Accreditation of Oklahoma Schools

(1) **Storage of leftover food.** School food authorities shall use best efforts to ensure that food waste is kept to a minimum. In order to minimize waste, leftover food may be re-served in subsequent meal services in accordance with the provisions of 310:257-5-44 and 310:257- 5-71.

(2) **Donation of leftover food.** School food authorities participating in the program may donate any food under the program not consumed and unable to be reserved pursuant to the provisions of (1) of this subsection to food banks or charitable organizations in accordance with the provisions of [42 U.S.C. § 1758\(l\)](#) and accompanying federal regulations if the donation is not otherwise prohibited by state, county, and local regulations.

[Superseded standards not shown.]

(14)

OAC 210:10-3-71. School breakfast program

Health standards. All school food authorities participating in the National School Breakfast Program shall implement a written school food safety program at each facility or part of a facility where food is stored, prepared, or served that ensures preparation, service, and storage of food used in the National School Breakfast Program complies with all applicable state, federal, county and local statutes and regulations pertaining to food handling and food safety, including but not limited to [42 U.S.C. § 1758\(h\)](#) and [OAC 310:257](#). In addition, all school districts and school sites shall comply with all of the following provisions:

(1) **Storage of leftover food.** School food authorities shall use best efforts to ensure that food waste is kept to a minimum. In order to minimize waste, leftover food may be re-served in subsequent meal services in accordance with the provisions of 310:257-5-44 and 310:257- 5-71.

(2) **Donation of leftover food.** School food authorities participating in the program may donate any food under the program not consumed and unable to be reserved pursuant to the provisions of (1) of this subsection to food banks or charitable organizations in accordance with the provisions of [42 U.S.C. § 1758\(l\)](#) and accompanying federal regulations if the donation is not otherwise prohibited by state, county, and local regulations.

[Superseded standards not shown.]

(14)

OAC 210:10-3-91. Summer food service program for children

(a) **Health standards.** All service institutions participating in the Summer Food Service Program shall ensure that preparation, service, and storage of food used in the Summer Food Service Program complies with all applicable state, federal, county and local statutes and regulations pertaining to food handling and food safety, including but not limited to [42 U.S.C. § 1758\(h\)](#) and [OAC 310:257](#). In addition, all school districts or other service institutions shall comply with all of the following provisions:

(1) **Storage of leftover food.** All service institutions shall use best efforts to ensure that food waste is kept to a minimum. In order to minimize waste, leftover food may be re-served in subsequent meal services in accordance with the provisions of 310:257-5-44 and 310:257-5-71.

2014-2015 Standards for Accreditation of Oklahoma Schools

(2) **Donation of leftover food.** All service institutions participating in the program may donate any food under the program not consumed and unable to be reserved pursuant to the provisions of (1) of this subsection to food banks or charitable organizations in accordance with the provisions of [42 U.S.C. § 1758\(l\)](#) and accompanying federal regulations if the donation is not otherwise prohibited by state, county, and local regulations.

(b) Recordkeeping. All service institutions participating in the program shall ensure that recordkeeping complies with all of the following provisions:

~~(1) The state agency shall require~~ All service institutions shall report any significant increase or decrease in participation levels ~~to be reported by the sponsor to the state agency~~ State Department of Education as soon as possible.

~~(2) The state agency~~ All service institutions shall maintain ~~require that~~ daily food production records, as well as daily meal counts and menus, ~~be maintained.~~ Food production records enable sponsors to ensure that adequate amounts of food are served to meet the Summer Food Service Program's meal pattern requirements.

~~(3) The state agency shall require sponsors to~~ All service institutions shall maintain all records necessary to support the costs reported on the claim for reimbursement. This includes itemized receipts for food and milk, time and attendance records for labor costs reported, etc.

(c) Cycle menus. ~~The state agency requires sponsors to~~ Service institutions shall develop and follow an eleven (11) day cycle menu for each type of meal served.

[Superseded standards not shown.]

(14)

OAC 210:10-3-111. Restricting access to foods of minimal nutritional value

This section contains rules related to the limiting of student access to foods of minimal nutritional value, as provided in [70 O.S. § 5-147](#).

(1) Each district board of education shall ensure that students in elementary school facilities are not provided foods of minimal nutritional value except on special occasions. [[70 O.S. § 5-147](#)]

(2) Each district board of education shall ensure that students in middle and junior high school facilities are not provided foods of minimal nutritional value except after school, at events which take place in the evening, and on special occasions. An exception to the minimal nutritional value standard will be diet soda with less than ten (10) calories per bottle or can.

(3) Each district board of education shall ensure that students in high school facilities are provided healthy food options in addition to any foods of minimal nutritional value to which they may have access at school. Each district shall provide incentives, such as lower prices or other incentives, to encourage healthy food choice for high school students.

(4) For purpose of this section, "foods of minimal nutritional value" means any food so defined in [7 CFR 210.11](#) and listed in [Appendix B](#) of the regulations for the National School Lunch Program.

(5) There may be exceptions to the above-named rules in certain instances. For example, foods of minimal nutritional value may be allowed when used as part of an instructional program, when prescribed by a physical or as part of a student's

2014-2015 Standards for Accreditation of Oklahoma Schools

individualized education program (IEP), when part of a lunch brought from home, or when used as an ingredient in a special recipe, e.g., cup cakes with jellybeans, sweet potatoes with marshmallow topping, etc. (07)

ADDITIONAL STANDARDS FOR CAREERTECH/COMPREHENSIVE SECONDARY SCHOOLS

OAC 210:35-11-51. Guidance and counseling services

- (a) Technology center districts shall have an identifiable guidance program in place, implemented and administered by an adequate number of credentialed staff and coordinated by staff with experience in delivering or supervising student services that addresses the career development needs of all students. Technology centers shall provide all students with information and advisement about career and educational options, administer assessment instruments such as interest inventories, aptitude tests, and achievement tests or acquire the results of such assessments prior to enrollment to provide guidance in program selection and placement, and provide support for students to help them be successful in their career pathway. This includes but is not limited to:
- (1) All students in accredited program have developed, updated, and on file, an individual career plan, student service strategy plan, or locally developed plan of study for career and academic services to be provided for maximized program success and employability.
 - (2) All students are enrolled or placed in a technology center program on the basis of their documented interest and ability to benefit from training, work history, IEP provisions, accommodation plans, and/or their plans of study developed at the sending school or in cooperation with other agencies.
 - (3) The technology center guidance staff coordinates services with guidance and counseling staff from partner schools, higher education institutions, and other agencies through planned informational meetings, correspondence, and/or other communications.
- (b) If a career and technology education program at the technology center is considered to be an appropriate part of the student's Individualized Education Program (IEP), a representative of the technology center shall be on the IEP team. A copy of the IEP must be received by the technology center prior to the student's arrival on campus in order for the student to be legally enrolled and the instructor of the *CareerTech* program shall have access to a copy of the IEP before the identified student enters the program.
- (c) The sending school guidance program shall complement and coordinate with those services available in the technology center for counseling, assessment, staff consulting, educational and occupational planning, and follow-up activities. (06)



STANDARD VII

THE MEDIA PROGRAM

In this standard:

- **MISSION:**
 - Assist students and teachers in becoming effective users of ideas and information
- **COLLECTION**
 - Board-approved, written policy for materials selection criteria
 - Should be a balanced collection of print, non-print, and other media
 - Should include a professional library for continuing staff development
 - Provisions in place for replacing outdated materials and equipment
 - Instructional materials in large enough quantities for student use
 - Acquisition and circulation records kept current
 - Materials cataloged in a computer system or alphabetical card catalog
- **STAFF RESPONSIBILITIES**
 - Media specialist leads school's professional staff in selecting materials
 - Media program development/operation directed by professional staff
 - Media center, materials, and personnel available to students and staff throughout the school day and school year
 - Library media specialist not to be used as a substitute teacher
 - Staff education programs to ensure effective use of media center
 - All students instructed in the use of media center and its materials
- **EVALUATION**
 - Media program effectiveness judged on its facilitation of the school's instructional program
- **ADDITIONAL STANDARDS FOR ELEMENTARY SCHOOLS**
 - Staffing requirements based on school enrollment
 - Seating and collection requirements
 - Minimum expenditures based on school enrollment
- **ADDITIONAL STANDARDS FOR MIDDLE LEVEL SCHOOLS**
 - Staffing requirements based on school enrollment
 - Seating and collection requirements
 - Minimum expenditures based on school enrollment
- **ADDITIONAL STANDARDS FOR SECONDARY SCHOOLS**
 - Staffing requirements based on school enrollment
 - Seating and collection requirements
 - Minimum expenditures based on school enrollment

STANDARD VII

THE MEDIA PROGRAM



OAC⁷ 210:35-3-121. Statement of the standard

The mission of the media program is to assist students and teachers in becoming effective users of ideas and information. Emphasis is placed on the development of skills necessary for independent lifelong learning. To that end, schools shall provide an effective library media program through the employment of qualified staff and the acquisition of library media materials sufficient to meet the instructional needs of the staff and students. One centralized library media center can serve two or more organizational units if the units are housed at one site. The library media program is to be based on the combined enrollment and standards for the highest grade unit served. **(92)**

OAC 210:35-3-126. Collection

- (a) There shall be a written policy, approved by the local board, concerning the criteria to be used in the evaluation and selection of materials for the media program. The written policies should contain criteria for selection, responsibility for selection, and guidelines for reconsideration.
- (b) The media program shall consist of a balanced collection of print materials, nonprint materials, multimedia resources, and equipment and supplies adequate in quality and quantity to meet the needs of students and staff in all areas of the school's program.
- (c) A library of professional materials containing print and multimedia resources shall be available to the staff. The professional library is an organized collection to support the instructional process and continued professional growth.
- (d) All media materials and equipment shall be maintained adequately with provisions made for regular replacement of outdated materials and equipment.
- (e) The school shall provide a variety and diversity of instructional/learning materials sufficient to accommodate the scope of the program and the individual differences among students.
- (f) Instructional/learning materials and equipment shall be available in a sufficient quantity to provide for the number of students involved in learning activities and for the number of teachers in the school.
- (g) Records of acquisition, classification, cataloging, circulation, and financing shall be accurate and current. A computerized library catalog or an alphabetically arranged card catalog, using a recognized system, and a shelf list of holdings shall be maintained.
- (h) All instructional/learning materials in the school related to the media program shall be listed in a central catalog.
- (i) The school shall provide equipment, materials, space, and professional guidance for the staff and students in designing and producing instructional/learning materials. **(92)**

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2014-2015 Standards for Accreditation of Oklahoma Schools

OAC 210:35-3-127. Staff responsibilities

- (a) The professional staff of the school, under the leadership of the media specialist, shall assume responsibility for the cooperative selection of materials and equipment for the media program. Instructional/learning materials and equipment shall be selected by means of comparative analysis, based on criteria approved by the instructional staff prior to the selection.
- (b) Responsibility for the development and the operation of the media program shall be placed under the direction of professional staff with adequate technical and clerical help.
- (c) The media center, materials/equipment, and personnel shall be available to students and staff throughout the school day and throughout the school year. The media facility and staff should be used specifically to assist students and teachers in becoming effective users of ideas and information and to meet the instructional needs of the staff and students. The library media specialist (librarian) shall not be used as a substitute teacher or to replace a teacher in the classroom.
- (d) Inservice education programs shall be provided for the staff in order to ensure effective use of the media center(s).
- (e) Instruction in the use of media materials and the center's other resources shall be provided to all students. **(92)**

OAC 210:35-3-128. Evaluation

The media program shall reflect the philosophy of the school. The effectiveness of the program shall be judged on the basis of how it facilitates the instructional program. There shall be an ongoing evaluation of the effectiveness of the organization, services, and resources of the media program. **(92)**

ADDITIONAL STANDARDS FOR ELEMENTARY SCHOOLS

**E**

OAC 210:35-5-71. Staffing

The school shall provide staffing for the media program through one of the following arrangements:

(1) OPTION A

ENROLLMENT

Fewer than 300
300 to 499

QUALIFIED SPECIALIST REQUIRED

At least a half-time certified library media specialist (librarian)
At least one full-time certified library media specialist (librarian)
or a half-time certified library media specialist (librarian) and a
full-time library assistant

500-999

At least one full-time certified library media specialist (librarian)
and a half-time library assistant

(2) OPTION B

ENROLLMENT

Fewer than 300

QUALIFIED SPECIALIST REQUIRED

At least one-fifth time certified library media specialist (librarian)

2014-2015 Standards for Accreditation of Oklahoma Schools

300 to 499	and a full- time library assistant At least a half-time certified library media specialist (librarian) and a full-time library assistant
500 +	At least one full-time certified library media specialist (librarian) and a half-time library assistant (92)

OAC 210:35-5-72. Seating

- (a) The center shall be attractive, easily accessible, well-lighted, and appropriately equipped. In addition, there shall be sufficient work space for the technical processing and repair of materials, for conducting business routines, and for storing supplies and equipment. Control and listing of all materials shall be in the central instructional materials center.
- (b) The library media center(s) shall provide areas for reading, listening, viewing, preparation, and individual learning for staff and students as well as storage for materials and equipment. Even though facilities may not allow consolidation into one location of all the areas listed above, their availability should be supervised from the central instructional materials center(s) of the school. **(92)**

OAC 210:35-5-73. Collection

- (a) The collection shall be current and appropriate for instructional needs. The minimum book collection shall be 3000 volumes, exclusive of textbooks, or 10 volumes for each student, whichever figure is larger. Newly organized schools will be given a reasonable amount of time to meet the minimum volume requirement.
- (b) Schools providing early childhood education programs shall make available to parents a collection of books and materials on early childhood education and child care. **(92)**

OAC 210:35-5-74. Expenditures

(a) **Minimum annual expenditures.** In establishing a balanced print and nonprint collection, the minimum annual media program expenditure shall be as follows: ~~in the table below.~~

(1) Fewer than five hundred (500) enrolled students: Nine dollars (\$9.00) per enrolled student.

(2) Five hundred (500) to nine hundred ninety-nine (999) enrolled students: Four thousand five hundred dollars (\$4500.00) for the first five hundred (500) enrolled students plus five dollars (\$5.00) per student for each additional enrolled student above five hundred (500) students up to nine hundred ninety-nine (999) students.

(3) One thousand (1000) to one thousand nine hundred ninety-nine (1999) enrolled students: Seven thousand dollars (\$7000.00) for the first one thousand (1000) enrolled students plus four dollars (\$4.00) per student for each additional enrolled student above one thousand (1000) students up to one thousand nine hundred ninety-nine (1999) students.

(4) Two thousand (2000) or more enrolled students: Eleven thousand dollars

2014-2015 Standards for Accreditation of Oklahoma Schools

(\$11,000.00) for the first two thousand (2000) enrolled students plus three dollars (\$3.00) per student for each additional enrolled student above two thousand (2000) students.

(b) Permissible media expenditures. All materials in the school (decentralized materials) that have been processed and are cataloged by the media center may be included. The following Examples of materials that constitute permissible media expenditures include, but are not limited to: may be included:

- (1) Hardback, paperback, and/or electronic books;
- (2) Periodicals in print and/or digital formats;periodicals,
- (3) Pamphlets, pamphlets, manuscripts, and reports, in print and/or digital formats;
- (sic) (6) Prints, posters, photographic slides, filmstrips, or photographs, in print and/or digital formats;
- (7) Microforms (e.g., microfilm and/or microfiche); microforms,
- (8) Multimedia packages or kits; multimedia packages or kits,
- (9) Scientific specimens, microscopic slides; specimens,
- (10) Realia; realia,
- (11) Models; models,
- (12) Audio audio and video recordings (e.g., vinyl records, reel-to-reel tape recordings, cassettes, CDs, MP3);-
- (13) Video recordings (e.g., film, video tape, DVD and Blu-ray discs,) and; filmstrips, slides, computer disks, films, compact discs, video discs, and
- (14) Computer computer software and applications.

(c) Impermissible expenditures. Textbooks, equipment, and salaries may not be included. For purposes of this Section, "equipment" shall have the meaning set forth at 210:25-7-1. All material in the school (decentralized materials) that have been processed and are cataloged by the media center may be included.

(d) Federal funds not included. The contributions of federally funded programs shall not be included in meeting this standard.

ENROLLMENT EXPENDITURES

Fewer than 500 \$9 per pupil

500 to 999 \$4,500 for the first 500 students plus \$5 per student above 500

1000 to 1999 \$7,000 for the first 1000 students plus \$4 per student above 1000

2000 plus \$11,000 for the first 2000 students plus \$3 per student above 2000 (14)

ADDITIONAL STANDARDS FOR MIDDLE LEVEL SCHOOLS

OAC 210:35-7-61. Staffing

The school shall provide staffing for the media program through one of the following arrangements:

ENROLLMENT

Fewer than 300

300 to 499

QUALIFIED SPECIALISTS REQUIRED

At least a half-time certified library media specialist (librarian)

At least one full-time certified library media specialist (librarian)

or a half-time library media specialist (librarian) and a full-time



2014-2015 Standards for Accreditation of Oklahoma Schools

	library assistant
500 to 999	At least one full-time certified library media specialist (librarian) and a half-time assistant
1000 to 1499	At least one full-time certified library media specialist (librarian) and one full-time library assistant
1500 plus	At least two full-time certified library media specialists (librarians) (92)

OAC 210:35-7-62. Seating

- (a) The center shall be attractive, easily accessible, well-lighted, and appropriately equipped. In addition, there shall be sufficient work space for the technical processing and repair of materials, for conducting business routines, and for storing supplies and equipment. Control and listing of all materials shall be in the central instructional materials center.
- (b) The library media center(s) shall provide areas for reading, listening, viewing, preparation, and individual learning for staff and students as well as storage for materials and equipment. Even though facilities may not allow consolidation into one location of all the areas listed above, their availability should be supervised from the central instructional materials center(s) of the school. (92)

OAC 210:35-7-63. Collection

- (a) The collection shall be current and appropriate for instructional needs. The minimum book collection shall be 3000 volumes, exclusive of textbooks, or 10 volumes per student, whichever figure is larger. Newly organized schools will be given a reasonable amount of time to meet the minimum volume requirement.
- (b) The program shall consist of a balanced collection of print materials, nonprint materials, and instructional/learning equipment and supplies adequate in quality and quantity to meet the needs of the students in all areas of the school's program. (92)

OAC 210:35-7-64. Expenditures

(a) **Minimum annual expenditures.** In establishing a balanced print and nonprint collection, the minimum annual media program expenditure shall be as follows: ~~in the table below.~~

(1) Fewer than five hundred (500) enrolled students: Nine dollars (\$9.00) per enrolled student.

(2) Five hundred (500) to nine hundred ninety-nine (999) enrolled students: Four thousand five hundred dollars (\$4500.00) for the first five hundred (500) enrolled students plus five dollars (\$5.00) per student for each additional enrolled student above five hundred (500) students up to nine hundred ninety-nine (999) students.

(3) One thousand (1000) to one thousand nine hundred ninety-nine (1999) enrolled students: Seven thousand dollars (\$7000.00) for the first one thousand (1000) enrolled students plus four dollars (\$4.00) per student for each additional enrolled student above one thousand (1000) students up to one thousand nine hundred ninety-nine (1999) students.

2014-2015 Standards for Accreditation of Oklahoma Schools

(4) Two thousand (2000) or more enrolled students: Eleven thousand dollars (\$11,000.00) for the first two thousand (2000) enrolled students plus three dollars (\$3.00) per student for each additional enrolled student above two thousand (2000) students.

(b) Permissible media expenditures. All materials in the school (decentralized materials) that have been processed and are cataloged by the media center may be included. The following—Examples of materials that constitute permissible media expenditures include, but are not limited to: may be included:

- (1) Hardback, paperback, and/or electronic books;
- (2) Periodicals in print and/or digital formats;
- (3) Pamphlets, manuscripts, and reports, in print and/or digital formats;
- (6) Prints, posters, photographic slides, filmstrips, or photographs, in print and/or digital formats;
- (7) Microforms (e.g., microfilm and/or microfiche);
- (8) Multimedia packages or kits;
- (9) Scientific specimens, microscopic slides;
- (10) Realia;
- (11) Models;
- (12) Audio and video recordings (e.g., vinyl records, reel-to-reel tape recordings, cassettes, CDs, MP3);
- (13) Video recordings (e.g., film, video tape, DVD and Blu-ray discs,) and;
- (14) Computer software and applications.

(c) Impermissible expenditures. Textbooks, equipment, and salaries may not be included. For purposes of this Section, "equipment" shall have the meaning set forth at 210:25-7-1. All materials in the school (decentralized materials) that have been processed and are cataloged by the media center may be included.

(d) Federal funds not included. The contributions of federally funded programs shall not be included in meeting this standard.

ENROLLMENT EXPENDITURE

Fewer than 500 \$9 per pupil

500 to 999 \$4,500 for the first 500 students plus \$5 per student above 500

1000 to 1999 \$7,000 for the first 1000 students plus \$4 per student above 1000

2000 plus \$11,000 for the first 2000 students plus \$3 per student above 2000 (14)

ADDITIONAL STANDARDS FOR SECONDARY SCHOOLS

OAC 210:35-9-71. Staffing

The school shall provide staffing for the library media program through one of the following arrangements:

ENROLLMENT

Fewer than 300

300 to 499

QUALIFIED SPECIALISTS REQUIRED

At least a half-time certified library media specialist (librarian)

At least one full-time certified library media specialist (librarian)

2014-2015 Standards for Accreditation of Oklahoma Schools

	or a half-time library media specialist (librarian) and a full-time library assistant
500 to 999	At least one full-time certified library media specialist (librarian) and a half-time library assistant
1000 to 1499	At least one full-time certified library media specialist (librarian) and one full-time library assistant
1500 plus	At least two full-time certified library media specialists (librarians) (92)

OAC 210:35-9-72. Seating

- (a) The center shall be attractive, easily accessible, well-lighted, and appropriately equipped. In addition, there shall be sufficient work space for the technical processing and repair of materials, for conducting business routines, and for storing supplies and equipment. Control and listing of all materials shall be in the central instructional materials center.
- (b) The library media center(s) shall provide areas for reading, listening, viewing, preparation, and individual learning for staff and students as well as storage for materials and equipment. Even though facilities may not allow consolidation into one location of all the areas listed above, their availability should be supervised from the central instructional materials center(s) of the school. **(92)**

OAC 210:35-9-73. Collection

- (a) The collection shall be current and appropriate for instructional needs. The minimum book collection shall be 3000 volumes, exclusive of textbooks, or 10 volumes for each student, whichever figure is larger. Newly organized schools will be given a reasonable amount of time to meet the minimum volume requirement.
- (b) The program shall consist of a balanced collection of print materials, nonprint materials, and instructional/learning equipment and supplies adequate in quality and quantity to meet the needs of the students in all areas of the school's program. **(92)**

OAC 210:35-9-74. Expenditures

(a) Minimum annual expenditures. In establishing a balanced print and nonprint collection, the minimum annual ~~media program~~ expenditure shall be as follows: ~~in the table below.~~

(1) Fewer than five hundred (500) enrolled students: Nine dollars (\$9.00) per enrolled student.

(2) Five hundred (500) to nine hundred ninety-nine (999) enrolled students: Four thousand five hundred dollars (\$4500.00) for the first five hundred (500) enrolled students plus five dollars (\$5.00) per student for each additional enrolled student above five hundred (500) students up to nine hundred ninety-nine (999) students.

(3) One thousand (1000) to one thousand nine hundred ninety-nine (1999) enrolled students: Seven thousand dollars (\$7000.00) for the first one thousand (1000) enrolled students plus four dollars (\$4.00) per student for each additional

2014-2015 Standards for Accreditation of Oklahoma Schools

enrolled student above one thousand (1000) students up to one thousand nine hundred ninety-nine (1999) students.

(4) **Two thousand (2000) or more enrolled students:** Eleven thousand dollars (\$11,000.00) for the first two thousand (2000) enrolled students plus three dollars (\$3.00) per student for each additional enrolled student above two thousand (2000) students.

(b) **Permissible media expenditures.** All materials in the school (decentralized materials) that have been processed and are cataloged by the media center may be included. The following Examples of materials that constitute permissible media expenditures include, but are not limited to: may be included:

(1) Hardback, paperback, and/or electronic books;

(2) Periodicals in print and/or digital formats;periodicals,

(3) Pamphlets, pamphlets, manuscripts, and reports, in print and/or digital formats;

(6) Prints, posters, photographic slides, filmstrips, or photographs, in print and/or digital formats;

(7) Microforms (e.g., microfilm and/or microfiche); microforms,

(8) Multimedia packages or kits; multimedia packages or kits,

(9) Scientific specimens, microscopic slides; specimens,

(10) Realia; realia,

(11) Models; models,

(12) Audio and video recordings (e.g., vinyl records, reel-to-reel tape recordings, cassettes, CDs, MP3);

(13) Video recordings (e.g., film, video tape, DVD and Blu-ray discs,) and; filmstrips, slides, computer disks, films, compact discs, video discs, and

(14) Computer software and applications.

(c) **Impermissible expenditures.** Textbooks, equipment, and salaries may not be included. For purposes of this Section, "equipment" shall have the meaning set forth at 210:25-7-1. All materials in the school (decentralized materials) that have been processed and are cataloged by the media center may be included.

(d) **Federal funds not included.** The contributions of federally funded programs shall not be included in meeting this standard.

ENROLLMENT EXPENDITURES

Fewer than 500 \$9 per pupil

500 to 999 \$4,500 for the first 500 students plus \$5 per student above 500

1000 to 1999 \$7,000 for the first 1000 students plus \$4 per student above 1000

2000 plus \$11,000 for the first 2000 students plus \$3 per student above 2000 **(14)**

STANDARD VIII

STUDENT ACTIVITIES PROGRAM

In this standard:

- **STANDARD**
 - A diversified, balanced program of student activities fostering educational development and an appropriate intellectual and social climate
- **SPECIFIC PROVISIONS OF THE STANDARD**
 - Student activities program to be integral to the educational experience
 - Scope of the program determined by student needs, interests, abilities
 - Program structured to utilize staff abilities, interests, and training
 - A licensed or certified staff member must be in charge of each activity
 - School must supply the resources needed to support the program
 - Program to provide exploratory experiences enhancing students' physical, social, mental, and creative skills
 - Educational program protected from activities of questionable educational value—Principal to determine activities' contribution
 - Same standards apply to activities held when school is not in session
- **ADDITIONAL STANDARDS FOR CAREERTECH/COMPREHENSIVE SECONDARY SCHOOLS**
 - Each CareerTech education program shall incorporate an appropriate CareerTech Student Organization (CTSO).
 - List of appropriate CTSOs
 - A student may participate only in the CTSO for the occupational program they are enrolled in
 - Maximum absences for activities are 10 days per class per year
 - Exception for state and national levels of competition
 - CTSO students must meet their sending school's eligibility rules
 - CTSO leadership activities to be directed by the appropriate staff member, with support and guidance of the administration
 - Technology center to provide necessary resources for CTSOs, and cooperate with the sending school in supporting students' participation in the sending school's student activities

STANDARD VIII

STUDENT ACTIVITIES PROGRAM

OAC⁸ 210:35-3-141. Statement of the standard

The school shall maintain a diversified and balanced program of co-curricular and extracurricular student activities designed to contribute to the educational development of students. Efforts shall be made to foster an appropriate intellectual, cultural, and social climate; promote growth in student leadership and social interaction skills; and encourage special student interests. **(92)**

OAC 210:35-3-146. Specific provisions of the standard

The standard sets forth the following provisions:

- (1) The student activities program shall be an integral part of the comprehensive educational experiences of the students.
- (2) The scope of the student activities program shall be determined by the needs, interests, and abilities of the students.
- (3) The student activities program shall be structured to utilize the abilities, interests, training, and experience of the school staff. A licensed/certificated staff member shall be in charge of each student activity.
- (4) Procedures shall be established to provide for student and staff involvement in the formation, organization, chartering, regulating, and funding of each activity in the program.
- (5) Students shall be assisted in selection of suitable options for participation in the student activities program.
- (6) The school shall provide resources needed to support the student activities program.
- (7) The school program shall provide exploratory experiences that contribute to the identification and improvement of the student's physical, social, mental, and creative talents and skills.
- (8) The educational program shall be protected from student activities of questionable educational value. The principal shall determine participation based on the contribution made by the activity to the educational goals of the school and on the local board policy. Time involved for students and teachers in preparation for and participation in contests and activities shall not be excessively disruptive of the day's schedule.
- (9) School-sponsored activities held when school is not in session shall follow the same standards as those held during the regular school year. **(92)**

⁸ PLEASE NOTE: The Oklahoma Administrative Code is available online, but only permits linking to the front page. To view OAC material, click on the hyperlinked "OAC", then select "View Code" from the options at the left side of the screen. Select the appropriate Title (210 for State Department of Education), then chapter number and subchapter, until you have reached the desired code section.

2014-2015 Standards for Accreditation of Oklahoma Schools

ADDITIONAL STANDARDS FOR CAREERTECH/COMPREHENSIVE SECONDARY SCHOOLS

OAC 210:35-11-71. Student activities programs

- C**
- (a) Each secondary *CareerTech* education program shall have an active and appropriate *CareerTech* student organization (CTSO) as an integral part of the *CareerTech* program. Appropriate CTSO's are defined as follows: FFA, Agricultural Education; DECA/Delta Epsilon Chi, Marketing Education; Business Professionals of America (BPA), Business and Information Technology Education; Family, Careers, and Community Leaders of America (FCCLA), Family and Consumer Sciences Education; Health Occupations Students of America (HOSA), Health Careers Education; Technology Students Association (TSA), Technology Education; and SkillsUSA, Trade and Industrial Education.
- (b) Each student who participates in a CTSO shall be involved in the CTSO which is designed for the occupational program in which the student is enrolled.
- (1) The maximum number of absences for activities, whether sponsored by the sending school, technology center, or outside agency/organization, which removes the student from the classroom shall be ten for any one class period of each school year. Excluded from this number are state and national levels of school-sponsored competitive events. State and national competitive events are those for which a student must earn the right to compete.
- (2) Students who participate in CTSO activities at the technology center shall meet the eligibility rules of the sending schools in which they are also enrolled. It is recommended that the eligibility rules meet or exceed the rules of the Oklahoma Secondary School Activities Association.
- (c) The leadership development activities associated with the CTSO shall be directed and supervised by the appropriate *CareerTech* instructor with support and guidance from the administration.
- (d) The school shall provide resources needed to support the *CareerTech* student organization activities.
- (e) The technology center shall cooperate with the sending school to support participation of students in co-curricular and extracurricular activities of the home school. **(06)**

STANDARD IX

FINANCIAL SUPPORT

In this standard:

- **STANDARD**
 - Funds from all available sources to provide sufficient support to maintain excellent staff, facilities, and material to meet student needs
- **ESTIMATED NEEDS AND PROBABLE INCOME**
 - Before October 1, each district school board to prepare an itemized statement of estimated needs and probable income
- **DISTRICT BUDGET PLAN**
 - List of needs and anticipated income used to prepare district budget
- **FINANCIAL MANAGEMENT AND ACCOUNTING**
 - Principal of each school site to plan and administer the school's budget—must be approved by school board
 - Principal involves staff in preparing preliminary budget
 - Schools continuously evaluate goals and expenditures, and redirect funds as necessary—file is kept noting needed items not in the budget
 - School board considers each school's philosophy, goals, and student needs when evaluating its budget
- **ALL INCOME AND EXPENDITURES SAFEGUARDED THROUGH PROPER BUDGET PROCEDURES AND AUDITED ANNUALLY**
 - Central office handles all monies collected for activities programs
 - School must adhere to procedures in *State Board of Education Handbook on Budgeting and Business Management: Bulletin No. 145*
 - Accreditation not maintained if a school fails to provide financial support sufficient to meet student needs
 - School district to receive a warning and on-site review prior to mandatory annexation
- **AUDITS**
 - Financial audit—all schools to make records available to State Board
 - Penalty—State Board may require administrator of a district that can't meet its obligations because of carelessness to show cause why the administrator's certificate should not be revoked
- **ENCUMBRANCE CLERK**
 - Duties; Required forms; Training; Compliance
- **SCHOOL DISTRICT TREASURER**
 - County Treasurer is by law the treasurer for all school districts contained, but district School Boards may appoint a local treasurer
 - Duties; Training; Compliance

STANDARD IX

FINANCIAL SUPPORT

OAC⁹ 210:35-3-161. Statement of the standard

Funds from all available sources shall provide financial support in sufficient amount to maintain excellence in staff, facilities, and material needed to meet the needs of the students. (92)

OAC 210:35-3-166. Estimated needs and probable income; district budget plan; financial management and accounting; audits

- (a) *The board of education of each school district, prior to October 1, shall make a written, itemized statement of estimated needs and probable income from all sources including ad valorem tax for the current year. [68 O.S. § 3002]*
- (b) The identified resources shall be translated into an annual approved district budget plan. The principal shall be responsible for planning and administering the school site budget as approved by the local board of education. The principal shall involve the staff in the preliminary development of the budget, in establishing expenditure allocations, and setting priorities within the budget.
- (c) The schools shall continuously evaluate the achievement of goals, review expenditure of funds relative to achieving goals, and redirect funds, if necessary, to focus upon changing and emerging needs. The administrator shall refer those items which were not included in the annual budget to the budget file for beginning studies on the next annual budget.
- (d) In reviewing the school's proposed budget plan, the local board shall take into account the school's statement of philosophy and goals and the needs of the students and community served. The annual school budget shall be reported to the various school publics. The administrator shall refer those items which were not included in the annual budget to the budget file for beginning studies on the next annual budget.
- (e) *All income and expenditures shall be safeguarded through proper budgetary procedures and shall be audited annually. [70 O.S. § 22-103]*
 - (1) All monies collected for student activities programs shall be handled through the central office where official records shall be kept. A periodic report shall be made to the student activity group, the chief executive officer, and the local board.
 - (2) The school shall adhere to the financial management and accounting procedures listed in the State Board of Education Regulations for Administration and Handbook on Budgeting and Business Management: Bulletin No. 145. [*School Finance Technical Assistance*]
- (f) Accreditation shall not be maintained when it is evident that a school is not providing financial support to meet the needs of the students.

⁹ PLEASE NOTE: The Oklahoma Administrative Code is available online, but only permits linking to the front page. To view OAC material, click on the hyperlinked "OAC", then select "View Code" from the options at the left side of the screen. Select the appropriate Title (210 for State Department of Education), then chapter number and subchapter, until you have reached the desired code section.



2014-2015 Standards for Accreditation of Oklahoma Schools

- (g) Prior to mandatory annexation of a school site or a school district, the school district shall receive a warning from the State Board of Education. A State Department of Education team will be assigned to make an on-site review of the school or district and report the findings with recommendations to the State Board of Education. **(06)**

OAC 210:10-1-5. Audits

(a) Financial Audit

All schools are required to make available to personnel of the State Department of Education all records pertaining to Federal programs, state aid appropriations and expenditures from the general fund of the previous year; making it possible to complete an audit on all funds. Public officials, members of the boards of education, superintendents, principals, and any other persons, whose duty it is to make appropriations and/or expenditures in accordance with the provisions of the state aid law, the federal law and regulations of the State Board of Education, will be held responsible for any misappropriation or illegal expenditure of such funds.

(b) Penalty

If it is discovered that a school district is unable to pay its current year's obligations through careless handling of funds by the school administrator, the State Board of Education may require the administrator to show cause why the administrator's certificate should not be revoked. **(00)**

OAC 210:25-5-4. Accounting

- (a) The financial structure of an Oklahoma public school district consists of various classifications as referenced in Oklahoma Administrative Code ([OAC](#)) 210:25-7-1, (Oklahoma Cost Accounting System [OCAS]). School District accounting systems shall be organized and operated on a basis that assures legal compliance by the recording and summarizing of financial transactions within funds, each of which is completely independent reporting of revenue within the Source of Revenue dimension. Revenue shall be reported to the bold codes within each of the following broad categories: District Source of Revenue, Intermediate Source of Revenue, State Source of Revenue, and Federal Source of Revenue. Expenditures shall be reported by the bold codes within the Function dimension as follows: Instruction, Support Services-Students, Support Services-Instructional Staff, Support Services-General Administration, Support Services-School Administration, Support Services-Central, Operation and Maintenance of Plant Services, Student Transportation Services, Child Nutrition Programs Operations, Community Services Operations and Facilities Acquisition and Construction Services. Additional dimensions for Revenue and Expenditures are coded to provide classification by Fiscal Year, Fund, Project Reporting, Object, Program, Subject, Job Classification, and Operational Unit, where applicable.
- (b) The year-end financial report recording and summarizing all revenue and expenditure financial transactions will be completed and certified on the due date.
- (c) The school district must inform the Financial Accounting Section of the State Department of Education of any changes made at the district level to any of the financial transactions already submitted to the State Department of Education. Further, none of the data submitted by Law can be changed or altered by either the school

2014-2015 Standards for Accreditation of Oklahoma Schools

- district or the Financial Accounting Section after November 15 of each year.
- (d) As referenced in [70 O.S. § 5-135.2](#) (B), the State Department of Education shall reduce the monthly payment of a district's State Aid funds if the district is not operating pursuant to said system. Not operating pursuant to said system shall be defined as a district not:
- (1) accurately recording and reporting all revenue and expenditures by applicable OCAS bold code dimensions;
 - (2) submitting OCAS financial records via the Web-based system of all recorded and reported revenue and expenditures by applicable OCAS bold code dimensions to the State Department of Education;
 - (3) ascertaining that current and accurate applicable OCAS codes are being utilized as updated and maintained by the State Department of Education;
 - (4) complying with regulations as outlined in [OAC 210:25-3-7](#) (Financial information processing), [OAC 210:25-5-10](#) (The encumbrance clerk), [OAC 210:25-5-11](#) (The school district treasurer), [OAC 210:25-5-12](#) (Purchase order procedures for schools), or [OAC 210:25-5-13](#) (School activity fund);
 - (5) reconciling all recorded and reported revenue and expenditures by applicable OCAS bold code dimensions by balancing data with bank receipts and statements, purchase orders, warrant registers, investment ledgers, and all balance sheet accounts; and
- (e) For appropriated funds, all indebtedness should be encumbered (have a purchase order issued and be recorded) on the day the obligation is incurred, rather than when it becomes due, and supporting documentation should be provided for all indebtedness.
- (f) Upon the approval of the State Board of Education, school districts may make capital expenditures up to a maximum amount of \$50,000 (fifty thousand dollars) during the current fiscal year within the General Fund pursuant to [70 O.S. § 1-117](#), if the school district meets the established criteria as outlined in the Statutes. School districts shall be voting the maximum five (5) building fund mills. General Fund monies authorized by the State Board of Education for expenditures must be expended within the current fiscal year. Any such funds encumbered as of June 30th of the current fiscal year, but not expended by November 15th of the subsequent fiscal year, shall lapse and return to the original purpose of such funds.
- (g) A school district shall be authorized to utilize general fund monies for capital expenditures, in addition to the amount specified in subsection (c), pursuant to the provisions of [70 O.S. § 1-117](#).
- (h) Inventory cards or data processing records shall be kept on all equipment and removable fixtures, showing purchase order number when known, date of purchase (when known, if not known an estimated date shall be used), amount of purchase (if known, if not known present value must be estimated) a description of the item, the serial number (when applicable) and the location of the item. New purchases shall be included in the records on the same day in which they are physically received by the district. Disposed equipment must be removed from the records on the disposal date and a detailed description of the circumstances which results in the disposal recorded. Disposed equipment should not be included in the records of future years. **(05)**

2014-2015 Standards for Accreditation of Oklahoma Schools

OAC 210:25-5-10. The encumbrance clerk

(a) **Duties and responsibilities.** The encumbrance clerk shall be employed by the district board of education and may also serve as the minute clerk. The encumbrance clerk is responsible for the following duties:

- (1) Maintain Appropriation and Encumbrance Ledger.
- (2) Determine that encumbrances do not exceed appropriations and are for purpose of appropriation charged.
- (3) May complete purchase orders.
- (4) Transmit warrants to vendor(s).
- (5) Perform such other duties as the board or its committees may require.

(b) **Required forms and documents.** In performing the required duties of the position the Encumbrance Clerk needs the following forms and documents:

- (1) A supply of approved purchase order blanks.
- (2) A supply of approved warrant blanks.
- (3) A copy of the following:
 - (A) S.A.&I Form 2661, Estimate of Needs.
 - (B) S.A.&I. Form 307, Request for approval of State Aid and/or Federal Funds.
 - (C) Form 308 - Cash Fund Estimate and Request for Appropriation.
 - (D) Form 150 - Supplemental Estimate
- (4) Other forms to meet board's requirements.

(c) **Additional duties – dual appointments as minute clerk.** If also serving as the minute clerk additional duties to perform:

- (1) Maintain an accurate journal of the proceedings of the board of education.
- (2) Perform such other duties as the board or its committees may require.

(d) Encumbrance clerk training and continuing education requirements. Every school district encumbrance clerk shall complete the following training requirements in accordance with the provisions of [70 O.S. § 5-190](#):

(1) Encumbrance clerk training. Within nine (9) months after the first day of employment as an encumbrance clerk by a local school district, every school district encumbrance clerk shall complete at least twelve (12) hours of approved instruction that meets all of the following requirements:

(A) Any courses of instruction or workshop of courses offered for purposes of meeting the requirements of this subsection shall be approved for credit by the State Department of Education Office of Financial Services;

(B) The instruction shall address all of the following topics:

(i) School finance laws of the State;

(ii) Accounting;

(iii) Ethics;

(iv) Duties and responsibilities of a school district encumbrance clerk.

(2) Encumbrance clerk continuing education. In addition to the requirements of (1) of this subsection, every school district encumbrance clerk shall be required to complete an additional twelve hours (12) of approved continuing education instruction every three (3) years from the date of initial employment with a school district. The twelve (12) hours of required continuing education instruction shall

2014-2015 Standards for Accreditation of Oklahoma Schools

meet all of the requirements for encumbrance clerk training set forth in (1) of this subsection.

(e) **Certificates of completion.** As a condition of course approval, every instructor of a school district encumbrance clerk course or coordinator of a workshop of school district encumbrance clerk courses shall provide a certificate of completion to encumbrance clerks upon successful completion of the course or workshop offered for the purpose of fulfilling the requirements of (d) of this Section. Upon completion of the course, copies of the certificate, signed by the course instructor or the workshop coordinator, shall be forwarded by the encumbrance clerk to the district board president or the board president's designee.

(f) **Compliance.** Failure to comply with the training requirements set forth in this Section shall result in a deficiency on the accreditation report of the school district that employs the encumbrance clerk.

(14)

OAC 210:25-5-11. The school district treasurer

(a) **Overview.** The law requires the county treasurer of each county to also be the school district treasurer for all school districts in the County, except that the board of education in each school district may appoint a local treasurer. All school districts are also allowed to employ an assistant local treasurer. An assistant local treasurer may perform any of the duties and exercise any of the powers of the local treasurer with the same force and effect. A school district treasurer or assistant treasurer may also serve as a minute clerk. The local treasurer and/or assistant treasurer shall be a resident of this state. A local treasurer or assistant local treasurer may be appointed for more than one school district. Since the State Auditor and Inspector is directly charged by law to prescribe the forms and procedures for the operation of the county treasurer's office, nothing herein is intended to disturb or supersede any directive or advice from the Auditor's Office. It is, however, agreed upon by the above mentioned office and the Department of Education that if the treasurer follows the principles and procedures as provided below for the operation of the local treasurer's office of the school district, a valuable service to boards of education, taxpayers and the general public will occur.

(b) **Duties and responsibilities.** The Treasurer is required by law to:

(1) Ensure ~~insure~~ that warrants shall show warrant number, fiscal year, and fund against which the warrant is being drawn.

(2) Code all receipts using the Oklahoma Cost Accounting System dimensions of Fiscal Year, Fund, Project Reporting, Source of Revenue, Program, and Operational Unit, to the bold dimension for State Department of Education requirements. If coded in detail have ability to roll dimensions to the bold for magnetic media transfer to State Department of Education.

(~~3~~) The Treasurer of a School District shall keep the following computerized records based on the following format:

(~~1~~A) SA&I, Form 208 (1967) Treasurer's General Ledger.

(~~2~~B) SA&I, Form 2061 (1967) Treasurer's Cash Ledger.

(~~3~~C) SA&I, Form 2062 (1967) Treasurer's Investment Ledger.

(~~4~~D) SA&I, Form 207 (1967) Treasurer's Warrant Ledger.

(~~5~~E) SA&I, Form 411 (1967) Treasurer's Receipt.

2014-2015 Standards for Accreditation of Oklahoma Schools

(6F) SA&I, Form 410 (1967) Treasurer's Check.

(7G) SA&I, Form 1141 (1967) Bond Register.

(8H) Deposit Books.

(9I) Such other records as may be deemed advisable or useful.

(d4) The Treasurer shall also maintain adequate files of:

(1A) Paid Warrants--Warrants purchased with a treasurer's check, shall be filed by group in the numerical order of the treasurer's checks which paid them. Each group of warrants paid by a treasurer's check shall also have a copy of the treasurer's check with which they were purchased attached to them.

(2B) Voided Warrants--Shall be filed in the numerical order of their issuance by fund and by fiscal year in a separate file and shall be sufficiently mutilated to prevent their being cashed but not mutilated as to not be identifiable.

(3C) Paid Bonds and Coupons.

(4D) Canceled Bonds and Coupons.

(5E) Bank and fiscal agency statements, including deposit tickets and paid warrants/checks.

(6F) County Clerk's remittance advises.

(7G) Copies of any directive from the County Clerk or County Excise Board supplementing, changing or transferring appropriation balances.

(8H) State Board of Education notices and allocation of State and Federal Aid.

(9I) School board resolutions pertinent to the conduct of the School Treasurer's office and duties.

(10J) Letters, memos, or other supporting data pertaining to transactions of the school district or to the operation of the Treasurer's office.

(11K) Any other files which may be considered advisable or useful.

(c) Treasurer training and continuing education requirements. Every school district treasurer who does not also act as the county treasurer shall complete the following training requirements in accordance with the provisions of [70 O.S. § 5-190](#):

(1) Treasurer clerk training. Within nine (9) months after the first day of assuming duties as a local school district treasurer, every school district treasurer shall complete at least twelve (12) hours of approved instruction that meets all of the following requirements:

(A) Any courses of instruction or workshop of courses offered for purposes of meeting the requirements of this subsection shall be approved for credit by the State Department of Education Office of Financial Services;

(B) The instruction shall address all of the following topics:

(i) School finance laws of the State;

(ii) Accounting;

(iii) Ethics;

(iv) Duties and responsibilities of a school district treasurer.

(2) Treasurer continuing education. In addition to the requirements of (1) of this subsection, every school district treasurer shall be required to complete an additional twelve hours (12) of approved continuing education instruction every three (3) years from the date of initial employment with a school district. The

2014-2015 Standards for Accreditation of Oklahoma Schools

twelve (12) hours of required continuing education instruction shall meet all of the requirements for treasurer training set forth in (1) of this subsection.

(d) **Certificates of completion.** As a condition of course approval, every instructor of a school district treasurer course or coordinator of a workshop of school district treasurer courses shall provide a certificate of completion to treasurers upon successful completion of the course or workshop offered for the purpose of fulfilling the requirements of (c) of this Section. Upon completion of the course, copies of the certificate, signed by the course instructor or the workshop coordinator, shall be forwarded by the treasurer to the district board president or the board president's designee.

(e) **Compliance.** Failure to comply with the training requirements set forth in this Section shall result in a deficiency on the accreditation report of the school district that employs the treasurer.

(14)

STANDARD X

SCHOOL FACILITIES

In this standard:

- **GENERAL REQUIREMENTS FOR SCHOOL FACILITIES**
 - Site and building(s) must be properly sized and equipped for purpose
 - Adequate space for all classrooms, support facilities, and other needs
- **ACCESSIBILITY REQUIREMENTS FOR SCHOOL FACILITIES**
 - Site and building(s) must be readily accessible, and meet all state and federal accessibility requirements for students with disabilities
- **CAPITAL IMPROVEMENT PLANS**
 - Each district must develop a four (4) year capital improvement plan
- **MAINTENANCE OF SCHOOL FACILITIES AND EQUIPMENT**
 - Programs for preventive and corrective maintenance implemented
 - Equipment, furnishings, and supplies inventoried, replaced as needed
- **HEALTH AND SAFETY**
 - Building code compliance
 - Loading and unloading zones
 - Hazardous materials
 - Emergency warning and prevention systems
- **SCHOOL SAFETY INSPECTIONS**
 - Annual inspection of safety/emergency/disaster procedures
 - Annual safety inspection of site, building(s), and equipment
- **SCHOOL SAFETY DRILLS**
 - Compliance documentation
 - Safety drill types and requirements
 - Fire drills
 - Tornado drills
 - Lockdown drills
 - Intruder drills
 - Additional safety drills
- **LOCKDOWN DRILLS—Specific requirements**
- **SCHOOL BUILDINGS—Fallout protection**
- **UNLAWFUL CARRY IN CERTAIN PLACES**
- **POSSESSION OF FIREARM ON SCHOOL PROPERTY**
- **IMMEDIATE REPORT AND DELIVERY OF CONFISCATED FIREARM TO LAW ENFORCEMENT AUTHORITY**

STANDARD X

SCHOOL FACILITIES



OAC¹⁰ 210:35-3-181. Statement of the standard

The school facilities support the educational program, contribute to the learning experiences of students, and promote safety and health of the occupants. They are vital to the implementation of a well-defined statement of educational philosophy and goals. (92)

OAC 210:35-3-186. Site and buildings: size and space; accessibility; maintenance; health and safety

(a) **General requirements for school facilities.** All school facilities shall meet the following requirements:

(1) The site and building(s) shall be properly sized and equipped for the number of occupants and grades served in accordance with the requirements of 70 O.S. § 5-131. [~~Reference: 11:22 117 School Speed Limit Signs in Municipalities; 25:91.2 Display of Oklahoma Flag on School Premises Compulsory; 25:153 School to Display Flag; 47:11 801 Speed Limit for School Buses School Zones Outside Municipalities Signs; 70:5 131 Educational Courses Buildings and Equipment; 70:5 131.1 Sewage Disposal System; 74:324.8 State/Municipality Adoption of Building Codes BOCA, SBCCI or ICBO; 74:324.11 Permits for Construction or Alterations of Building~~]

(2) Adequate space shall be provided for classrooms, specialized instructional areas, support facilities and other areas as needed, these areas being grouped and arranged in such manner to provide optimum instructional function and class control.

(b) **Accessibility requirements for school facilities.** The site and building(s) shall be readily accessible, and shall meet all requirements of state and federal law in providing allowing access for students with disabilities, handicapped persons to required programs. [~~Reference: 70:13 103 Authorized Provisions for Education of Exceptional Children~~]

~~(c) Adequate space shall be provided for classrooms, specialized instructional areas, support facilities and other areas as needed, these areas being grouped and arranged in such manner to provide optimum instructional function and class control. [Reference: 70:5 131 Educational Courses Buildings and Equipment; 70:18 152 Legislative Intent School Facilities; Other citings State Department of Education SPACE GUIDELINES FOR PLANNING EDUCATIONAL FACILITIES; Vocational Rehabilitation Act of 1973, Section 504; American National Standards Institute (ANSI) A117.1.]~~

~~(d) **Capital improvement plans.** Each school district shall develop and adopt a four-year capital improvement plan for all public schools in the district that meets the requirements of 70 O.S. § 18-153 and 210:30-1. School facilities shall be able to accommodate changes in curriculum and/or equipment within a program. [Reference: 70:18 152 Legislative Intent School Facilities; 70:18 153 Capital Improvement Plan]~~

¹⁰ PLEASE NOTE: The Oklahoma Administrative Code is available online, but only permits linking to the front page. To view OAC material, click on the hyperlinked "OAC", then select "View Code" from the options at the left side of the screen. Select the appropriate Title (210 for State Department of Education), then chapter number and subchapter, until you have reached the desired code section.

2014-2015 Standards for Accreditation of Oklahoma Schools

~~(ed)~~ **Maintenance of school facilities and equipment.** Programs for preventive and corrective maintenance shall be developed and implemented to ensure that the site and building(s) will be clean, in good repair, and maintained with consideration for function and aesthetic values. ~~[Reference: 70:18 152 Legislative Intent School Facilities]~~~~(f)~~ Equipment, furnishings, and supplies in proper quantity and quality shall be maintained; and a system shall be developed and implemented for inventory, issue, usage, storage, repair, and replacement.

~~(g)~~ ~~A long range plan for replacing and/or updating the site, building(s), and equipment shall be developed. [Reference: 70:18 153 Capital Improvement Plan]~~

~~(he)~~ **Health and safety.** The site and building(s) shall ensure that the health and safety of those served all school students, school personnel, and school visitors are properly safeguarded.

~~(1)~~ **Building code compliance.** Where required, the facility shall have utility systems, plumbing systems, electrical systems, mechanical systems, emergency systems, building interiors and building envelope designed, built, and maintained to recognized all federal, state, and local standards, codes and/or other legal requirements. ~~[Reference: 59:1002 Authorizes State Department of Health to Adopt Codes BOCA Plumbing Code; 59:1681 Authorizes State Board of Health to Adopt Codes Selections from NFPA; 59:1850.3 Authorizes State Board of Health to Adopt Codes BOCA Plumbing Code; 61:152 through 157 Oklahoma Lighting Energy Conservation Act; 70:3 104 State Board of Education Powers and Duties; 70:5 131.1 Sewage Disposal System; 74:324.7 Fire Marshal; 74:324.8 State/Municipality Adoption of Building Codes BOCA, SBCCI or ICBO; 74:324.11 Permits for Construction of Alteration of Buildings]~~ Other citations State Department of Education SPACE GUIDELINES FOR PLANNING EDUCATIONAL FACILITIES

~~(i)~~~~(2)~~ **Loading and unloading zones.** The site shall be as free as possible from hazards, provide a safe area for (un)loading of vehicles, with adequate lighting, signage and drainage. ~~[Reference: 11:22 117 School Speed Limit Signs in Municipalities; 47:11 801 Speed Limit for School Buses School Zones Outside Municipalities Signs; 74:324.8 State/Municipality Adoption of Building Codes BOCA, SBCCI or ICBO]~~

~~(j)~~~~(3)~~ **Hazardous materials.** Appropriate programs pertaining to hazardous materials, hazardous waste, asbestos, underground storage tanks, lead contamination, and other applicable life, health, and/or safety matters shall be developed and implemented in accordance with federal, state, and local statutes, regulations, and codes. ~~[Reference: 40:403 and 404 Oklahoma Occupational Health and Safety Standards Act; Other citations 29 CFR 1910 Occupational Safety and Health Standards, Oklahoma Corporation Commission's General Rules and Regulations Governing Underground Storage Tanks; 40 CFR 260 272 Asbestos Hazard Emergency Response Act 9 (AHERA), Lead Contamination and Control Act of 1988 (LCCA), Resources Conservation and Recovery Act of 1976 (Hazardous and Solid Waste Amendments of 1984)]~~

~~(k)~~~~(4)~~ **Emergency warning and prevention systems.** Proper precautions shall be taken to prevent injuries. All equipment and facility safety features shall be in place and properly maintained, including, but not limited to safety goggles in accordance

2014-2015 Standards for Accreditation of Oklahoma Schools

~~with the requirements of [70 O.S. §24-117](#) and respirators in accordance with the requirements of [70 O.S. §24-118](#). [Reference: 70:24-117 Safety Goggles School Board to Provide for Certain Personnel; 70:24-118 Respirators School Board to Provide for Certain Teachers and Students; 70:324.7 Fire Marshal; 74:324.11 Smoke Detectors]~~

~~(f) **School safety inspections.** The school's administration shall ensure that qualified personnel conduct a safety/emergency/disaster procedure review at least annually and safety inspections of site, building(s), and equipment regularly. [Reference: 63:176 Fire Drills; 74:324.7 Fire Marshal]~~

~~(mg) **School safety drills.** Each public school district shall adopt policies and procedures for each type of safety drill required by this subsection. All safety drills shall conform to the written plans and procedures adopted by the district for protecting against natural and man-made disasters and emergencies as required by Title [63 O.S. § 681](#) and [70 O.S. §§ 5-148](#) and [5-149](#).~~

~~(1) **Compliance documentation.** Each public school district shall document compliance with the requirements of this subsection by each school site in writing as follows:~~

~~(A) The records for each fire drill shall be preserved for at least three (3) years and shall be made available to the State Fire Marshal or the designated agent of the State Fire Marshal upon request. In addition, one copy of the fire drill compliance report shall remain at each school site and one copy shall be filed with the school district's administrative office;~~

~~(B) In addition to the fire drill documentation required by (1)(A) of this subsection, each public school district shall document all other required safety drills in writing by school site. One copy of the safety drill compliance report shall remain at each school site and one copy shall be filed with the school district's administrative office. Each school district shall also submit documentation in writing for each school site to the Oklahoma Office of Homeland Security Oklahoma School Security Institute in accordance with the Institute's established forms, policies and/or procedures; and~~

~~(C) Each school district shall make all of its safety compliance reports required by this subsection available to the Regional Accreditation Officer during the accreditation process.~~

~~(2) **Safety drill types and requirements.** Each school district shall ensure that every public school within the district shall conduct no fewer than ten (10) safety drills per school year at each school site. All students and teachers at the public schools shall participate. Safety drills conducted in accordance with this subsection shall meet all of the following requirements:~~

~~(A) **Fire drills.** Each public school district shall conduct a minimum of two (2) fire drills per school year. Each fire drill shall be conducted within the first fifteen (15) days of the beginning of each semester. The fire drills shall include the sounding of a distinctive audible signal designated as the fire alarm signal.~~

~~(B) **Tornado drills.** All Each public school districts district shall conduct a minimum of two (2) tornado drills per school year, in which all students and~~

2014-2015 Standards for Accreditation of Oklahoma Schools

~~school employees participate. At least one (1) tornado drill shall be conducted in the month of September and at least one (1) tornado drill shall be conducted during the month of March. Such drills shall conform to the written plans and procedures adopted by the district for protecting against natural and man-made disasters and emergencies as required by Title 63 O.S. § 681. Each school district shall document in writing and by school site, compliance with this requirement and such records shall be available to the Regional Accreditation Officer during the accreditation process.~~

~~(n)(C) **Lockdown drills.** All public schools shall have a minimum of one two (2) lockdown ~~drill~~ drills each school year. No lockdown drill shall be conducted at the same time of day as a previous lockdown drill conducted in the same school year. All students and employees are required to participate in the drills, with the extent of student involvement to be determined by the district. Each school district board of education and administration shall adopt policies and procedures for lockdown drills. Each public school district shall document lockdown drills in writing by public school site. Compliance with this requirement and such records shall be available to the Regional Accreditation Officer during the accreditation process.~~

~~(D) **Intruder drills.** In addition to the two lockdown drills required in this subsection, all public schools shall conduct two (2) intruder drills per school year. Intruder drills shall be conducted for the purpose of mitigating injuries or deaths by execution of a plan as an alternative to the lockdown drills required by (2)(C) of this subsection. The two required intruder drills shall be conducted within the first fifteen (15) days of each semester.~~

~~(E) **Additional safety drills.** The principal of each public school shall, at the direction of the district superintendent, utilize the remaining two (2) required safety drills for one or more of the following purposes:~~

- ~~(i) To conduct additional drills of any of the types provided in this subsection;~~
- ~~(ii) To conduct one or more drill(s) developed by the district that is consistent with the risks assessed for the school facility; or~~
- ~~(iii) To conduct one or more drills in accordance with recommendations submitted by the Safe School Committee as authorized by the provisions of [70 O.S. § 24-100.5](#) or any assisting fire or law enforcement department.~~

(14)

[70 O.S. § 5-148](#) – Lockdown Drills

Each district board of education shall ensure that a minimum of two lockdown drills are conducted at each public school within the district each school year. No lockdown drill shall be conducted at the same time of day as a previous lockdown drill conducted in the same school year, and no more than two lockdown drills shall be conducted in one semester. Additional drills may be conducted at the discretion of the district. Lockdown drills shall be conducted for the purpose of securing school buildings to prevent or mitigate injuries or deaths that may result from a threat on or near the school. The drills shall conform to the

2014-2015 Standards for Accreditation of Oklahoma Schools

written plans and procedures adopted by the district as required by [Section 681 of Title 63](#) of the Oklahoma Statutes. All students and employees shall participate in the drills, with the extent of student involvement to be determined by the district.

(08)

70 O.S. § 5-149 Required Safety Drills

A. In addition to the two lockdown drills required pursuant to [Section 5-148](#) of ~~Title 70 of the Oklahoma Statutes~~ this title, all public schools shall conduct a minimum of eight safety drills as follows:

1. Two fire drills per school year. Each fire drill shall be conducted within the first fifteen (15) days of each semester. The fire drills shall include the sounding of a distinctive audible signal designated as the fire alarm signal;
2. Two intruder drills per school year. Intruder drills are conducted for the purpose of mitigating injuries or deaths by executing a plan as an alternative to the lockdown method. Each intruder drill shall be conducted within the first fifteen (15) days of each semester;
3. Two tornado drills per school year with at least one drill being conducted in the months of September and March; and
4. The principal and superintendent of a public school district shall utilize the remaining required safety drills in any manner provided in this section or [Section 5-148](#) of ~~Title 70 of the Oklahoma Statutes~~ this title or by developing a drill that is consistent with the risks assessed for the appropriate facility or any recommendations submitted by the Safe School Committee as authorized pursuant to [Section 24-100.5](#) of ~~Title 70 of the Oklahoma Statutes~~ this title or any assisting fire or law enforcement department.

B. It shall be the duty of the principal, under the direction of the superintendent of the school district, to conform to the written plans and procedures adopted by the district as required by [Section 681 of Title 63](#) of the Oklahoma Statutes. All students and teachers at the public schools shall participate; provided, however, that the extent of student involvement required in paragraph 2 of subsection A of this section be determined by the district.

C. Each public school district shall document each fire drill in writing by public school site. The records for each fire drill shall be preserved for at least three years and made available to the State Fire Marshal or the marshal's agent upon request. In addition to the fire drill documentation provided in this subsection, the school district shall document all other safety drills in writing and by school site with a copy of the report remaining at the school, a copy filed with the district administrative office and a copy with the Institute for School Security Resources as created by the Oklahoma Office of Homeland Security. (14)

63 O.S. § 681 – School Buildings – Fallout Protection

School authorities of the State of Oklahoma, its political subdivisions, and its school districts are authorized to plan, design, and construct new school buildings and make additions to

2014-2015 Standards for Accreditation of Oklahoma Schools

existing school buildings that afford protection for the anticipated school body, faculty, and visitors against tornadoes and severe weather. Each school, administration building and institution of higher learning shall have written plans and procedures in place for protecting students, faculty, administrators and visitors from natural and man-made disasters and emergencies. Plans shall be reviewed and updated annually as appropriate by each school, administration building and institution of higher learning, and placed on file at each school district and each local emergency ~~management~~ response organization within the district, which may include police, fire, emergency medical services, sheriff and emergency management of the appropriate jurisdiction. The plans shall be submitted in a format acceptable to the emergency agency no later than November 1 of each year. Each school district and institution of higher learning shall make annual reports to the local school board or Board of Regents detailing the status of emergency preparedness and identified safety needs for each school or institution.

(13)

21 O.S. § 1277(A), (B), (C), (G) Unlawful Carry in Certain Places

A. It shall be unlawful for any person in possession of a valid handgun license issued pursuant to the provisions of the Oklahoma Self-Defense Act to carry any concealed or unconcealed handgun into any of the following places:...

3. Any public or private elementary or public or private secondary school, except as provided in subsection C of this section

B. For purposes of paragraphs 1, 2, 3, 4 and 5 of subsection A of this section, the prohibited place does not include and specifically excludes the following property:...

5. Any property set aside by a public or private elementary or secondary school for the use or parking of any vehicle, whether attended or unattended; provided, however, said handgun shall be stored and hidden from view in a locked motor vehicle when the motor vehicle is left unattended on school property.

C. A concealed or unconcealed weapon may be carried onto private school property or in any school bus or vehicle used by any private school for transportation of students or teachers by a person who is licensed pursuant to the Oklahoma Self-Defense Act, provided a policy has been adopted by the governing entity of the private school that authorizes the carrying and possession of a weapon on private school property or in any school bus or vehicle used by a private school. Except for acts of gross negligence or willful or wanton misconduct, a governing entity of a private school that adopts a policy which authorizes the possession of a weapon on private school property, a school bus or vehicle used by the private school shall be immune from liability for any injuries arising from the adoption of the policy. The provisions of this subsection shall not apply to claims pursuant to the Workers' Compensation Code.

G. For the purposes of this section, "motor vehicle" means any automobile, truck, minivan or sports utility vehicle.

(14)

2014-2015 Standards for Accreditation of Oklahoma Schools

21 O.S. § 1280.1 – Possession of Firearm on School Property

A. *It shall be unlawful for any person to have in his or her possession on any public or private school property or while in any school bus or vehicle used by any school for transportation of students or teachers any firearm or weapon designated in [Section 1272](#) of this title, except as provided in subsection C of this section or as otherwise authorized by law.*

B. *For purposes of this section:*

1. *"School property" means any publicly owned property held for purposes of elementary, secondary or vocational-technical education, and shall not include property owned by public school districts or where such property is leased or rented to an individual or corporation and used for purposes other than educational; and*

2. *"Private school" means a school that offers a course of instruction for students in one or more grades from prekindergarten through grade twelve and is not operated by a governmental entity.*

C. *Firearms and weapons are allowed on school property and deemed not in violation of subsection A of this section as follows:*

1. *A gun or knife designed for hunting or fishing purposes kept in a privately owned vehicle and properly displayed or stored as required by law, or a handgun carried in a vehicle pursuant to a valid handgun license authorized by the Oklahoma Self-Defense Act, provided such vehicle containing said gun or knife is driven onto school property only to transport a student to and from school and such vehicle does not remain unattended on school property;*

2. *A gun or knife used for the purposes of participating in the Oklahoma Department of Wildlife Conservation certified hunter training education course or any other hunting, fishing, safety or firearms training courses, or a recognized firearms sports event, team shooting program or competition, or living history reenactment, provided the course or event is approved by the principal or chief administrator of the school where the course or event is offered, and provided the weapon is properly displayed or stored as required by law pending participation in the course, event, program or competition;*

3. *Weapons in the possession of any peace officer or other person authorized by law to possess a weapon in the performance of his or her duties and responsibilities; ~~and~~*

4. *A concealed or unconcealed weapon carried onto private school property or in any school bus or vehicle used by any private school for transportation of students or teachers by a person who is licensed pursuant to the Oklahoma Self-Defense Act, provided a policy has been adopted by the governing entity of the private school that authorizes the possession of a weapon on private school property or in any school bus or vehicle used by a private school. Except for acts of gross negligence or willful or wanton misconduct, a governing entity of a private school that adopts a policy which authorizes the possession of a weapon on private school property, a school bus or vehicle used by the private school shall be immune from liability for any injuries arising from the*

2014-2015 Standards for Accreditation of Oklahoma Schools

adoption of the policy. The provisions of this paragraph shall not apply to claims pursuant to the Workers' Compensation Code; and

5. A gun, knife, bayonet or other weapon in the possession of a member of a veterans group, the national guard, active military, the Reserve Officers' Training Corps (ROTC) or Junior ROTC, in order to participate in a ceremony, assembly or educational program approved by the principal or chief administrator of a school or school district where the ceremony, assembly or educational program is being held; provided, however, the gun or other weapon that uses projectiles is not loaded and is inoperable at all times while on school property.

D. Any person violating the provisions of this section shall, upon conviction, be guilty of a felony punishable by a fine of not to exceed Five Thousand Dollars (\$5,000.00), and imprisonment in the custody of the Department of Corrections for not more than two (2) years. Any person convicted of violating the provisions of this section after having been issued a handgun license pursuant to the provisions of the Oklahoma Self-Defense Act shall have the license permanently revoked and shall be liable for an administrative fine of One Hundred Dollars (\$100.00) upon a hearing and determination by the Oklahoma State Bureau of Investigation that the person is in violation of the provisions of this section. (14)

70 O.S. § 24-132.1 – Immediate Report and Delivery of Confiscated Firearm to Law Enforcement Authority

A. Pursuant to the requirements of [Section 1271.1 of Title 21](#) of the Oklahoma Statutes, every school authority shall immediately report the discovery of a firearm not otherwise authorized by law to be possessed to a law enforcement authority and deliver any weapon or firearm, removed or otherwise seized from any minor, to a law enforcement authority for appropriate disposition.

B. Every school authority shall also immediately report to a law enforcement authority the discovery of a firearm upon a student that is not a minor or upon any other person not otherwise authorized by law to possess a firearm on school property pursuant to [Section 1280.1 of Title 21](#) of the Oklahoma Statutes and deliver any weapon or firearm that is removed or seized to a law enforcement authority for disposition pursuant to [Section 1271.1 of Title 21](#) of the Oklahoma Statutes. (13)

STANDARD XI

ACCREDITATION STATUS

In this standard:

- **STATEMENT OF THE STANDARD FOR PUBLIC SCHOOL ACCREDITATION**
 - **School site submits Application to Accreditation Standards Section**

- **ACCREDITATION STATUS**
 - **Accredited With No Deficiencies**
 - **Accredited With Deficiencies**
 - **Accredited With Warning**
 - **Accredited With Probation**
 - **Nonaccredited**

STANDARD XI

ACCREDITATION STATUS

OAC¹¹ 210:35-3-201. Statement of the standard

(a) Each public school site, including charter school sites, must submit an Application for Accreditation to the Accreditation Standards Section of the State Department of Education by the due date specified on the Application. School sites are accredited for one year. An accredited school site shall meet all applicable regulations and statutory requirements at the beginning of and throughout the school year.

(b) Accreditation status of school sites shall be classified according to the following categories:

(1) Accredited With No Deficiencies--All standards are being met.

(2) Accredited With Deficiencies--A school site fails to meet one or more of the standards but the deficiency does not seriously detract from the quality of the school's educational program.

(3) Accredited With Warning--A school site:

(A) fails to meet one or more of the standards and the deficiency seriously detracts from the quality of the school's educational program; and/or

(B) is designated as a school in need of improvement in school years 2011-2012 or later;

(4) Accredited With Probation--A school site:

(A) consistently fails to remove or make substantial progress towards removing all deficiencies noted the previous year; and/or,

(B) consistently violates regulations; and/or,

(C) deliberately and unnecessarily violates one or more of the regulations; and/or

(D) is declared as a School Improvement School in school years 2009-2010 and 2010-2011 and designated as a school in need of improvement in school year 2011-2012; and/or;

(E) is designated as a school in need of improvement for three or more consecutive years beginning in school year 2011-2012.

(5) Nonaccredited--The school site is no longer recognized by the State Board of Education.

(c) If a school site is placed on warning or probation, the school board and administration will meet with a committee from the Accreditation Section to review their accreditation status. After the review from the committee, a determination will be made concerning warning, probation or nonaccredited status. The Accreditation Section will then present a recommendation to the State Board of Education. **(14)**

¹¹ PLEASE NOTE: The Oklahoma Administrative Code is available online, but only permits linking to the front page. To view OAC material, click on the hyperlinked "OAC", then select "View Code" from the options at the left side of the screen. Select the appropriate Title (210 for State Department of Education), then chapter number and subchapter, until you have reached the desired code section.

STANDARD XII

DEREGULATION

In this standard:

- **PURPOSE/“WHY” OF DEREGULATION**
 - **Ensuring local schools the flexibility to innovate**
- **ELIGIBILITY FOR DEREGULATION**
 - **All school districts may apply**
- **REQUIRED APPLICATION CRITERIA**
 - **Requests for deregulations**
 - **Waivers of statutory requirements**
 - **School District Empowerment Program**
- **SCHOOL DISTRICT EMPOWERMENT PROGRAM**
 - **Overview**

STANDARD XII

DEREGULATION—RULES AND PROCEDURES



OAC¹² 210:35-3-221. **The purpose of deregulation**

The purpose of deregulation is to stimulate local innovation and creativity in all Oklahoma schools by waiving certain State Board of Education regulations which govern school operations and programs -- no state or federal statutes or federal regulations can be waived or exempted under these Deregulation Rules and Procedures. However, procedures necessary to deregulate state laws that pertain to schools can be found under the Educational Deregulation Act. [[70 O.S. § 3-126](#)] (92)

OAC 210:35-3-226. **The “why” of deregulation**

Oklahoma School Deregulation is about better local schools, local school improvement and local student results. It is based on a strongly held belief that rules, standards and regulations cannot in and of themselves foster improvement in education. The appropriate place for developing innovations and meeting student needs is at the local district and individual school site levels—thus, a fundamental focus of Oklahoma School Deregulation is to ensure that local schools have the necessary freedom and flexibility to innovate as they continue to strive toward school improvement and student results. (92)

OAC 210:35-3-227. **Who is eligible to apply for deregulated status?**

All school districts in Oklahoma are eligible to apply for deregulated status. (92)

OAC 210:35-3-228. **Required application criteria to be considered for requests for deregulations, waivers of statutory requirements, and participation in the School District Empowerment Program, ~~deregulated status~~**

(a) Applications. The State Department of Education shall develop an application for school district use by school districts in seeking approval from the State Board of Education of requests for:

(1) Waivers from a statutory requirement;

(2) Deregulation from a State Department of Education regulation; or

(3) Participation in the School District Empowerment Program, by obtaining a waiver from all statutory requirements and State Board of Education rules from which charter schools are exempt under the Oklahoma Charter Schools Act.

~~School districts shall complete the application to be submitted to the State Board of Education in order for deregulated status to be considered for approval or denial.~~

(b) Criteria for applications for deregulation, waivers, or participation in the School District Empowerment Program. The application submitted shall ~~contain~~ meet all of the following criteria requirements:

¹² PLEASE NOTE: The Oklahoma Administrative Code is available online, but only permits linking to the front page. To view OAC material, click on the hyperlinked “OAC”, then select “View Code” from the options at the left side of the screen. Select the appropriate Title (210 for State Department of Education), then chapter number and subchapter, until you have reached the desired code section.

2014-2015 Standards for Accreditation of Oklahoma Schools

(1) **Alternate strategies.** The application shall clearly state the alternate strategy(ies) which the school district proposes to utilize and the needed resources to meet clearly stated objectives as a result of the proposed deregulation, waiver, or participation in the School District Empowerment Program. The specific objectives to be focused on as a result of deregulated status shall be clearly delineated.

(2) **Student performance.** The application shall clearly specify and describe the expected student performance levels to be demonstrated and evaluated as a result of the proposed ~~deregulated status~~ deregulation, waiver, or participation in the School District Empowerment Program.

(3) **Standard(s) to be deregulated or statutes to be waived.** The application shall clearly identify/state the ~~regulation~~ regulation(s) from which the school district is proposing to be deregulated or the statute(s) for which the school district seeks a waiver.

(4) **Financial impact.** The application shall clearly delineate the projected financial impact the proposed ~~deregulated status~~ deregulation, waiver, or participation in the School District Empowerment Program would create.

(5) **Timeline(s).** The application shall clearly delineate the proposed timeline(s) which, if approved, will apply to the ~~deregulated status~~ deregulation, waiver, or participation in the School District Empowerment Program, i.e., The proposed timeline for implementation shall include:

(A) The ~~the~~ date(s) the school district proposes to implement the ~~deregulated status~~ deregulation, waiver, or participation in the School District Empowerment Program; and

(B) The ~~the~~ date(s) proposed to terminate the ~~deregulated status~~ deregulation, waiver, or participation in the School District Empowerment Program, which shall be no longer than:

(i) Waivers and deregulations: One (1) year from the date of implementation of a waiver or deregulation;

(ii) School District Empowerment Program: Three (3) years from the date of implementation of the district's empowerment plan.

(6) **Local board approval.** The application shall contain the original signature of the school district superintendent and the president of the local board of education ~~indicating~~ certifying that the local board of education has approved the application for deregulation, waiver, or participation in the School District Empowerment Program in accordance with the provisions in the bylaws, policies, and/or procedures of the school board governing transaction of business.

(c) Applications for School District Empowerment Program. In addition to the requirements set forth in (b) of this Section, all applications by the school district for participation in the School District Empowerment Program shall submit a comprehensive plan which identifies the goals sought to be achieved through deregulation and the anticipated educational and fiscal benefits, impacts, and outcomes for all schools in the district resulting from participation in the School District Empowerment Program. Applications for participation in the School District Empowerment Program shall be submitted and reviewed in accordance with the procedures set forth in 210:35-3-229.

(14)

2014-2015 Standards for Accreditation of Oklahoma Schools

OAC 210:35-3-229. State Department of Education/State Board of Education application program procedures Applications for participation in the School District Empowerment Program

(a) Application submission. All applications for participation in the School District Empowerment Program shall be submitted by delivering one (1) copy to the Secretary of the State Board of Education and one (1) copy to the State Department of Education Office of Accreditation Standards Division. Within five (5) business days of the date of receipt of the application, the Secretary of the State Board of Education shall mail a written acknowledgement of receipt of the application to the school district contact name and address stated by the school district in the application.

(ab) Application review. A ~~deregulation~~ School District Empowerment Program team, consisting of State Department of Education employees, shall be appointed by the State Superintendent of Public Instruction to review all applications submitted in accordance with this Section. Within thirty (30) calendar days of the date of receipt of the application, the ~~deregulation~~ The team shall ~~receive and~~ review all applications ~~the application and~~ issue a recommendation to the State Board of Education for approval or denial. Applications which ~~do not contain the required elements fail to meet the requirements set forth in this Section and in 210:35-3-228 will not be considered by the deregulation team or the State Board of Education~~ be recommended for denial. The team shall determine:

(1) If the application has addressed all ~~required criteria elements~~ requirements set forth in this Section and 210:35-3-228;

(2) If the ~~standard(s) statutes or regulations being proposed for which a waiver or deregulation is requested are consistent with those allowed for deregulation~~ eligible for consideration of waiver or deregulation by the State Board of Education;

(3) If additional data needs to be considered, such as the school district's or site's normreferenced performance indicators, or such evaluation indicators as compensatory reading, language arts and mathematics;

(4) If any accreditation deficiencies are to be considered and their applicability to the application.

(bc) Notice ~~application approval of application recommendation.~~ Within three (3) business days of ~~Upon~~ completion of application review by the deregulation team, ~~when the team recommends application approval,~~ the team shall provide the following written notice of its recommendation to the applicant and the State Board of Education that meets all of the following requirements:;

(1) The notice shall contain the team's recommendation and shall explain the specific factual and legal grounds for the team's recommendation for approval or disapproval of the application;-

(2) The notice shall ~~also~~ contain any variances to the application which it will be forwarding to the State Board of Education (e.g., amendments to the application submitted by the school district subsequent to filing or required amendments upon which recommendations from the team are conditioned); and

~~(23)~~ The notice shall contain the meeting date, time and location of the meeting of the State Board of Education at which the application is to be considered for approval or disapproval by the Board; and

2014-2015 Standards for Accreditation of Oklahoma Schools

(4) The notice shall contain language which notifies the school district that it may, but is not required to designate a representative to appear on its behalf at the board meeting to either support or contest the team's recommendation to the State Board of Education.

(d) Application decisions. The State Board of Education shall approve or disapprove all applications within ninety (90) days of the date of receipt of the application by the Secretary of the State Board of Education. The Secretary of the State Board of Education shall send the school district written notice of the application decision within five (5) business days of the date of the meeting at which the Board considered the application. The written notice shall meet all of the following requirements:

(1) The notice shall contain the specific factual and legal grounds for the Board's approval or disapproval of the application;

(2) The notice shall state the effective date of any approved request set pursuant to (f) of this Section;

(3) The notice shall advise the school district that it may submit a request for reconsideration of the application decision in accordance with the provisions of (e) of this Section; and

(4) In the event of denial of an application for participation in the School District Empowerment Program, the notice shall advise the school district the school district may submit an amended request for participation in the School District Empowerment Program at any time after the denial of the application in accordance with the provisions of [70 O.S. § 3-129.11](#).

~~**(e) Notice application disapproval.** Upon completion of application review by the deregulation team, when the team recommends application disapproval, the team shall provide the following notice to the applicant and the State Board of Education:~~

~~(1) The notice shall contain the team's recommendation. The notice shall also contain the specific reason(s) why the team does not recommend approval of the application; and~~

~~(2) The notice shall contain language which notifies the school district of its right to appeal the team's recommendation to the State Board of Education. Should a school district elect to appeal a team's recommendation, it must, within 30 calendar days of the date of the team's notice to the school district, provide written notice to the State Superintendent of Public Instruction of its intent to appeal the recommendation to the State Board of Education. The State Superintendent will then place the appeal on the agenda of the State Board of Education.~~

(e) Appeal of denials of applications. A school district may request reconsideration of a denial of an application by delivering a written request for reconsideration to the Secretary of the State Board of Education within ten (10) business days of the date of receipt of the written notice of the Board's decision provided to the district in accordance with (d) of this Section. Within five (5) business days of receipt of the request of reconsideration, the Secretary shall schedule the district's request for reconsideration on the agenda for a board meeting to be held within forty-five (45) calendar days of the date of receipt of the request for reconsideration, and provide written notice of the date, time, and location of the meeting to the district via certified mail.

(f) Effective date of approval. Upon approval of the by the State Board of Education of an

2014-2015 Standards for Accreditation of Oklahoma Schools

application for participation in the School District Empowerment Program, the deregulated status Board may ~~be~~ declare the approval of the application to take immediate effect, effective immediately, or to take effect on a date designated as determined appropriate by the State Superintendent of Public Instruction.

(g) Annual reports. No later than December 15 of each year following the first full year of participation in the School District Empowerment Program approved by the State Board of Education, every school district participating in the School District Empowerment Program shall submit a report to the State Board of Education. The report shall include all information necessary for the State Board of Education to assess the academic achievement and fiscal status of the school district, and shall include the school district's assessment of the impacts and outcomes of the school's participation in the Program for the previous school year and the progress made by the school district during the previous school year in meeting the goals and objectives for participation set forth in the district's plan.

(h) Renewal of a plan of participation in the School District Empowerment Program. Prior to the beginning of the third year, a school district may apply for renewal of an approved plan of participation in the School District Empowerment Program by submitting an application for renewal of the plan. The application for renewal shall be submitted in accordance with the requirements for submission of an application as set forth in (a) of this Section. In addition to the application criteria set forth in 210:35-3-228, the deregulation team shall consider the annual reports provided by the school district as required by (g) of this Section.

(14)

NOTE: The [application for deregulation](http://www.ok.gov/sde/) is located on the internet website at <http://www.ok.gov/sde/>.

70 O.S. § 3-129.11 – School District Empowerment Program

A. There is hereby established the School District Empowerment Program which shall be administered by the State Board of Education. The purpose of the program is to empower locally elected school board members to govern school districts and make decisions based on the needs of their students and circumstances.

B. 1. Subject to the provisions of this section, a school district shall be allowed to submit a request to the State Board of Education for an exemption from all statutory requirements and State Board of Education rules from which charter schools are exempt, as provided for in the Oklahoma Charter Schools Act. Any request for exemption shall include a plan which outlines the goals sought to be achieved at a minimum, include the educational and fiscal benefits and the anticipated impacts or outcomes the plan will have in the district.

2. Within ninety (90) days after receiving the request and plan, the State Board shall approve or disapprove the request. If the State Board does not approve the request, it shall provide to the school district a written explanation of the basis for its decision. The school district may resubmit an amended request at any time after the denial. The request shall be approved by the State Board before implementation by the school district. An approved request and plan shall be for no longer than three (3) years. Prior to the beginning of the third year, the school

2014-2015 Standards for Accreditation of Oklahoma Schools

district may apply for renewal of the approved request and plan. The school district shall be required to submit an annual report and the State Board shall annually assess the academic achievement and fiscal status of the school district.

C. Nothing in this section shall prevent a school district board of education from choosing to follow any or all state laws, rules or regulations from which a charter school is exempt. A school district which has been granted approval by the State Board for exemption as set forth in subsection B of this section shall have the option to adopt policies to implement any requirement for the school district that is consistent with any statutory requirement or mandate or State Board rule, but a participating school shall comply with the following requirements:

1. Students who reside in the school district shall be entitled to attend school in the district as set forth in [Section 1-114 of Title 70 of the Oklahoma Statutes](#);

2. School districts shall comply with the requirements of the minimum salary schedule for teachers as set forth in [Section 18-114.12 of Title 70](#) [*note—repealed outdated salary schedule referenced] of the Oklahoma Statutes;

3. Employees of school districts shall continue to participate as members of the Teachers' Retirement System of Oklahoma as set forth in [Section 17-101 et seq. of Title 70 of the Oklahoma Statutes](#);

4. School districts shall comply with the requirement to provide a health insurance plan for school district employees as set forth in [Section 5-117.5 of Title 70 of the Oklahoma Statutes](#) and to establish or make available to school district employees a cafeteria plan as set forth in [Section 26-104 of Title 70 of the Oklahoma Statutes](#);

5. School districts shall require any person employed by the school district to file with the district board a current Oklahoma criminal history record check from the Oklahoma State Bureau of Investigation as well as a national criminal history record check as defined in [Section 150.9 of Title 74 of the Oklahoma Statutes](#). Each district shall adopt a policy regarding criminal history record checks as set forth in [Section 5-142 of Title 70 of the Oklahoma Statutes](#);

6. School districts shall comply with the requirement to evaluate teachers and to train personnel designated to conduct personnel evaluations as set forth in [Sections 6-101.10 and 6-101.11 of Title 70 of the Oklahoma Statutes](#), the dismissal and due process procedures for administrators as set forth in [Sections 6-101.13, 6-101.14, 6-101.15 of Title 70 of the Oklahoma Statutes](#) and the due process procedures for teachers as set forth in [Sections 6-101.21 through](#)[[6-101.22, 6-101.23, 6-101.24, 6-101.25](#)] [6-101.26 of Title 70 of the Oklahoma Statutes](#);

2014-2015 Standards for Accreditation of Oklahoma Schools

7. School districts shall comply with the requirement to make payroll deductions for either or both professional organization dues and political contributions upon the request of an employee as set forth in [Section 5-139](#) of Title 70 of the Oklahoma Statutes;

8. School districts shall comply with the dismissal and due process procedures for education support employees as set forth in [Sections 6-101.40 through \[6-101.41, 6-101.42, 6-101.43, 6-101.44, 6-101.45, 6-101.46\] 6-101.47](#) of Title 70 of the Oklahoma Statutes;

9. School districts shall employ as teachers, counselors, librarians, school nurses, superintendents, principals, supervisors or any other instructional, supervisory or administrative employee only those persons who are certified or licensed by the State Board of Education in accordance with the Oklahoma Teacher Preparation Act, except for persons exempt from the certification or licensure requirements as otherwise provided by law;

10. School districts shall provide for negotiations between school employees and school districts as set forth in [Sections 509.1 through \[509.2, 509.2a, 509.3, 509.4, 509.5, 509.6, 509.7, 509.8, 509.9, 509.10\] 509.11](#) of Title 70 of the Oklahoma Statutes;

11. School districts shall be required to offer and students enrolled in the school district shall be required to complete the curriculum requirements as set forth in [Section 11-103.6](#) of Title 70 of the Oklahoma Statutes;

12. Students enrolled in the school district shall be required to demonstrate mastery of the state academic content standards as set forth in [Section 1210.523](#) of Title 70 of the Oklahoma Statutes; and

13. Members of the school district board of education shall be required to satisfy the instruction and continuing education requirements as set forth in [Sections 5-110, 5-110.1 and 5-110.2](#) of Title 70 of the Oklahoma Statutes.

(13)

PART II

**Standards for Accreditation of
Technology Centers**

STANDARD I

PHILOSOPHY (AND/OR MISSION) AND GOALS

In this standard:

- **WRITTEN STATEMENT OF SCHOOL'S PHILOSOPHY AND GOALS**
 - **Developed by faculty and administration**
 - **Developed with input from students, parents, members of business and industrial community**
 - **Consistent with mission and goals of Oklahoma Department of Career and Technology Education**
 - **Objectives clearly stated in measurable terms**
 - **Mission, vision, goals, and objectives to be identified for each instructional area**

- **EVALUATING ACHIEVEMENT OF GOALS**
 - **Variety of information used to determine if goals are being achieved**

STANDARD I

MISSION, VISION, AND GOALS

OAC¹³ 210:35-13-1. **Statement of the standard**

The Technology Center has instructional programs that address the academic, personal/social and career development of students as they prepare for life and work in a democratic society. The mission, vision, and goals reflect the constantly changing technology of our culture which mandates that the education process provide training, retraining, and supplemental education throughout life.

OAC 210:35-13-3. **Written statement of philosophy and goals**

The mission, vision, and goals shall be written and shall become the governing document of the school and its programs.

- (1) The mission, vision, and goals shall be developed cooperatively by the faculty and the administration. Students, parents, and members of the business and industrial community shall be involved in its development. The statement shall be approved by the governing board of the school. The ultimate responsibility for writing the statement lies with the professional staff of the Technology Center.
- (2) The mission, vision, and goals shall reflect the individual character of the school, needs of the student population, and expectations and requirements of the businesses and industries for which the students are being trained. The plan shall be consistent and coherent with the mission, vision, and goals of the Oklahoma Department of Career and Technology Education.
- (3) The statement of philosophy, goals, and objectives shall be clearly expressed with the objectives stated in measurable terms.
- (4) The philosophy, goals, and objectives of the school shall be communicated to the staff, students, parents/guardians, and patrons of the school.
- (5) Provision shall be made for periodic review and appropriate modification of the mission, vision, goals, and objectives in light of changing conditions, circumstances, and priorities.
- (6) The mission, vision, goals, and objectives shall be identified for each instructional area and support services. The instructional objectives shall be consistent and coherent with the philosophy and goals of the Technology Center.

OAC 210:35-13-4. **Information to be utilized to determine achievement of goals**

Information from a variety of sources, including advisory committees and student follow-up studies, shall be required to determine the extent to which the institution's philosophy, goals, and objectives are being achieved.

¹³ PLEASE NOTE: The Oklahoma Administrative Code is available online, but only permits linking to the front page. To view OAC material, click on the hyperlinked "OAC", then select "View Code" from the options at the left side of the screen. Select the appropriate Title (210 for State Department of Education), then chapter number and subchapter, until you have reached the desired code section.

STANDARD II

SCHOOL-COMMUNITY RELATIONSHIPS

In this standard:

- **MUTUAL TRUST**
 - Technology center establishes relationships with constituents
 - Relationships based on open, two-way communication
 - Business and industry representatives involved in developing and monitoring expected student outcomes

- **OPPORTUNITIES FOR EXPRESSION**
 - Technology center to provide opportunities for constituents to express desires, concerns, suggestions

- **COMMUNICATION TO SCHOOL AND COMMUNITY**
 - Technology center to express its aspirations, policies, and needs to the school and the community
 - Written communications and marketing plan to be in place
 - Written plan to incorporate RACE formula:
 - Research
 - Analysis
 - Communication
 - Evaluation
 - Plan to use appropriate media mix to reach target audiences
 - Technology center shall promote parent/guardian involvement

- **EFFECTIVE USE OF RESOURCES**

STANDARD II

SCHOOL-COMMUNITY RELATIONSHIPS

OAC¹⁴ 210:35-13-11. **Statement of the standard**

The technology center establishes relationships with its constituents that result in a feeling of mutual trust and cooperation. These relationships are based on open two-way communications. These constituents, including business and industry representatives, are involved in developing and monitoring students' expected outcomes. The technology center displays a willingness to respond to the needs of the students and the communities being served.

OAC 210:35-13-13. **Technology Center to provide opportunities for constituents' expression**

The technology center shall provide opportunities for its constituents to express their desires, identify their concerns, ask questions, and make suggestions concerning the school and its programs.

OAC 210:35-13-14. **Technology Center to communicate to school and community; promote involvement of staff in community activities; encourage parental involvement**

- (a) The technology center shall make systematic efforts to explain its aspirations, policies, procedures, needs, instruction, and status to the school and community. Further, there shall be a written communications and marketing plan that overlays the technology center's strategic plan. This plan shall incorporate the industry standard RACE formula—research, analysis, communication, and evaluation—and will use appropriate methods and media mix to reach targeted audiences that include staff, parents, community, prospective students—adult and high school, business and industry.
- (b) The technology center shall encourage and facilitate staff involvement in civic activities and community organizations.
- (c) The technology center shall involve parents/guardians and encourage them to visit on-site. The Technology Center Board of Education shall develop initiatives to promote the school as being a congenial place for parents/guardians to visit. [[70 O.S. § 10-105.2](#)]

OAC 210:35-13-15. **Technology Center to promote effective use of resources**

- (a) The technology center shall effectively use community, business, and industry resources in the instructional programs.
- (b) The school promotes the use of its buildings and property both before and after regular school hours. [[70 O.S. § 5-130](#)]

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STANDARD III

ORGANIZATION, ADMINISTRATION, AND PROGRAM OPERATIONS

In this standard:

- **TYPE OF ORGANIZATION**
 - Technology Center districts established through criteria and procedures of State Board of Career and Technology Education
 - Curriculum serves as an extension of high school for current high school students
 - Technology center is also a separate entity, providing training for adult students and serving the training needs of business/industry
 - Students who wish to withdraw from Technology Center must have approval from both the center and their comprehensive high school
 - Students on an Individualized Education Program (IEP) may participate in technology center instruction for up to four years
- **ADMINISTRATIVE AND SUPERVISORY PERSONNEL**
 - Technology Center Superintendent is the chief administrative officer
 - Superintendent to maintain close ties with potential employers, and all agencies and institutions relative to employment/job opportunities
 - In technology center districts with multiple sites, a site director is responsible for instructional leadership and personnel decisions
 - Personnel evaluations conducted only by those holding a Technology Center Administrator's Credential
- **SCHOOL RECORDS AND REPORTS**
 - Attendance records and coursework records shall be certified by a technology center to the sending school, with approved course titles
 - Cumulative records of students shall be current and filed in the administrative office, with appropriate safeguards for confidentiality
- **SCHOOL DAY AND YEAR**
 - Standard school year: not less than 180 days or 1080 hours
 - Career majors—at least 175 days per year; three units
 - Requirements for CareerTech classes for credit that meet outside the regular school day
- **SUMMER SCHOOL**
 - To offer summer programs, a Technology Center must apply to the Accreditation Section
- **GOVERNING BOARD/STAFF RELATIONSHIPS**
 - Governing Board should transact official business with employees only through the Technology Center Superintendent, who is appointed as the executive director of the Board

STANDARD III

ORGANIZATION, ADMINISTRATION, AND PROGRAM OPERATIONS

OAC¹⁵ 210:35-13-21. **Statement of the standard**

The technology center has qualified administrative and supervisory personnel adequate for the effective operation of the program. The administrator of the school has the necessary autonomy and authority to provide the leadership for the improvement of instruction. The school is organized to ensure the achievement of its stated mission, goals, and objectives.

OAC 210:35-13-23. **Type of organization**

- (a) Technology center districts shall be established through criteria and procedures established by the State Board of Career and Technology Education and shall be operated in accordance with the rules and regulations of the State Board of Career and Technology Education and the State Board of Education. [[70 O.S. § 14-103](#); [70 O.S. § 14-104](#)]
- (b) The technology center curriculum shall serve as an extension of the high school for students currently enrolled in a high school. The technology center is a separate entity in that it also provides training for adult students and serves the training needs of business and industry.
 - (1) All high school students shall be enrolled through a cooperative effort of the sending comprehensive high school and the technology center except in cases where the home schooled or private school students are enrolled and the student's parent or guardian has provided sufficient evidence that he/she is participating in a home-schooled/private school education plan. [[70 O.S. §10-105](#)]
 - (2) Students who wish to withdraw from a technology center must have approval of both the technology center and the comprehensive high school. Specific procedures for withdrawal are established cooperatively by the technology center and the respective home high school.
 - (3) Student discipline and control shall be a cooperative effort between the comprehensive high school and the technology center. Each institution shall enforce rules and regulations in accordance with their board-approved policies. Both institutions shall recognize the student's right to due process.
 - (4) **Secondary Students.** Secondary *CareerTech* majors in the technology center may be offered to secondary students. Students who are on an Individualized Education Program (IEP) may participate in the technology center instruction for up to four years within the parameters of current legislation.

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2014-2015 Standards for Accreditation of Oklahoma Schools

OAC 210:35-13-24. Administrative and supervisory personnel

- (a) The technology center superintendent shall be the chief administrative officer of the technology center. He/she shall be responsible for the organization, curriculum development, evaluation, and improvement of the technology center. The technology center superintendent shall maintain close contact with the employment services, advisory committees, potential employers, and all agencies and institutions relative to employment needs and job opportunities in order that training may be closely coordinated with current needs and anticipated opportunities in the employment market. He/she shall evaluate instruction continuously and bring about changes and improvements that will ensure that students will obtain the career skills and knowledge for which instruction is being provided. The technology center superintendent shall be responsible for assigning appropriate administrative personnel to evaluate the technology center's certified faculty and determining that such persons have a technology center administrator's credential. The technology center superintendent shall be responsible for maintaining a system of complete and accurate records and shall make financial, statistical, and descriptive reports as may be required by the State Board of Career and Technology Education and the State Board of Education.
- (b) In technology center districts with multiple school sites, a site director shall be responsible for instructional leadership and shall be involved in the selection, retention, promotion, assignment and evaluation of all personnel under his/her direction.
- (1) Site directors shall be responsible to the technology center superintendent in the performance of their duties.
- (2) *All personnel designated by a local board to conduct certified personnel evaluations shall be required to participate in training conducted by the State Department of Education prior to evaluating staff. Those personnel designated to conduct evaluations shall also hold a Technology Center Administrator's Credential. [70 O.S. § 6-101.10]*
- (3) All personnel designated by a local board to conduct certified personnel evaluation shall hold administrative certification from both the State Department of Education and the Oklahoma Department of Career and Technology Education.
- (c) All other technology center administrative and supervisory personnel shall assist the technology center superintendent/site director with the organization, curriculum, development, evaluation, and improvement of the technology center. Personnel responsibilities will vary depending upon the local structure of the school and district.

OAC 210:35-13-25. School records and reports

Well-delineated policies and procedures for records and reports shall be developed and kept current. Records and reports needed for effective planning, operations, evaluation, and reporting of results shall be maintained.

- (1) Attendance records and records of course work completed by a student in a technology center in Oklahoma shall be certified by the technology center to the sending school in which the student is regularly enrolled. Records of course work

2014-2015 Standards for Accreditation of Oklahoma Schools

earned which are submitted to the sending schools shall reflect approved course titles.

- (2) All appropriate reports required by the Oklahoma Department of Career and Technology Education and the State Department of Education shall be filed on a timely basis. Other types of reports may be added to this list.
- (3) The cumulative records of the students shall be current and filed in the administrative office. Proper safeguards shall be taken with these records to protect the confidentiality of individuals and the human rights of all students.

OAC 210:35-13-26. School day and year

A school shall organize its schedule of classes in a pattern most appropriate to achieving the mission, goals, and objectives of the program.

- (1) The standard school year shall consist of not less than 180 days or 1080 hours. Career majors offered in technology centers on the secondary level shall meet at least 175 days per school year and be accredited for three units. Comprehensive schools may elect to give the student four units of credit each year if the technology center class meets for a length of time equal to that where four units of credit are offered in the comprehensive school.
- (2) Secondary *CareerTech* classes offered for credit outside the time frame of the regular school day shall meet the following criteria:
 - (A) The curriculum must be an accredited program and taught by a certified instructor.
 - (B) Classes must meet a minimum of 60 hours for one-half unit or 120 hours for one unit of credit.

OAC 210:35-13-27. Summer school

A technology center desiring accreditation by the State Board of Education to offer *CareerTech* and academic summer programs shall make application on forms furnished for this purpose. The application shall be completely and properly filled out and filed with the Accreditation Section, State Department of Education. *CareerTech* and academic courses approved for accreditation may include career orientation classes. There are no grade limitations for students who participate in summer technology center instruction.

- (1) A cooperative regional summer school for academic courses housed in a technology center shall require the consent of the participating schools in the technology center district.
- (2) No student shall spend more than 6 hours per day in school, exclusive of lunch breaks, during a summer school term.
- (3) The minimum time allotted for each half unit course shall be 60 clock hours, exclusive of breaks. The minimum time allotted for each unit course shall be 120 clock hours, exclusive of breaks.
- (4) All teachers shall have valid/appropriate teaching certificates/licenses. The certificate/license must be in the subject area being taught.

2014-2015 Standards for Accreditation of Oklahoma Schools

OAC 210:35-13-28. Governing board/staff relationships

- (a) The governing board shall be responsible for development and adoption of effective policies which include statutory requirements that provide direction for the operation of the school. The staff, students, and community shall be involved in the development of the policies which relate to them. The governing board's policies shall be prepared in printed form and shall be made available to staff, students, and community. The technology center must operate in compliance with appropriate state and federal regulations such as [Title VI of the Civil Rights Act of 1964](#), [Title IX of the Education Amendments of 1972](#), [Sections 503, 504, and 508 of the Rehabilitation Act](#), the [Americans with Disabilities Act](#), the [Individuals with Disabilities Education Act](#), and the [Federal Education Rights and Privacy Act](#).
- (1) The governing board shall be responsible for the selection and evaluation of its chief executive officer who shall be the superintendent or other designated head of the school system.
 - (2) The working relationships between the governing board and the superintendent shall be such as to facilitate effective administration and operation of the school and the entire district.
 - (3) The governing board shall not enter into any written contract with a teacher of secondary students who does not hold an appropriate/valid Oklahoma license or certificate.
 - (4) No teacher shall be dismissed during the term of a contract or refused reemployment except at an official meeting of the board of education. The reemployment or dismissal of teachers shall be in accordance with the school laws of Oklahoma.
 - (5) Lack of harmony in the teaching staff, school board or community, when such conditions affect the quality and effectiveness of instruction and spirit of the school, shall be considered sufficient cause for not accrediting a school. Political or special interest groups or individuals shall not interfere with the operation of the school.
- (b) The governing board shall transact official business with employees only through the technology center superintendent. Individual board members shall not engage in official transactions for the school or the entire district unless operating under the prior and specific authorization of the entire board.
- (c) The technology center superintendent, in cooperation with board members and the technology center superintendent's staff, shall prepare the agenda of items to be discussed at each board meeting and shall be in compliance with the Oklahoma Open Meeting Act.
- (d) The technology center superintendent appointed and employed by the governing board as the executive officer of said board shall be expected to attend all meetings of the board of education. He/she may be excused from a board meeting during the time his/her employment or salary is under consideration.
- (e) The employment policies of the district shall be such as to attract and retain the services of well-qualified and competent employees.
- (1) The performance of all certified personnel shall be subject to regular evaluation.

2014-2015 Standards for Accreditation of Oklahoma Schools

- (2) Teachers of a district shall have a written contract filed with the board of education of a school district.
- (f) Loyalty oaths, certificates and official up-to-date transcripts showing the work of all teachers and administrators shall be kept on file during the year in the office of the technology center superintendent with copies at school sites.

STANDARD IV

INSTRUCTIONAL PROGRAM

In this standard:

- **INSTRUCTIONAL QUALITY**
 - Curriculum shall reflect the school's statement of philosophy, with student success as the highest priority
 - School climate as conducive to learning
 - Instruction shall incorporate high expectations for all students
 - Provisions to be made for students of varying aptitudes, interests, and levels of intellectual development
 - Each CareerTech pathway/cluster has at least one advisory committee
 - Industry, business, and community resources to be utilized for program enrichment
 - CareerTech and related instruction to have the following components:
 - Well-defined, measurable objectives
 - Performance criteria for specific skills
 - Systematic planning by professional staff
 - Varied types of instructional materials and learning experiences
 - Specific adaptation of procedures to meet student needs
 - Use of varied evaluation instruments and procedures
 - Quality instructional delivery including effective use of current technology
- **INSTRUCTIONAL DELIVERY/PROCESS**
 - Shall provide necessary laboratory, enrichment, and academic support experiences, and work experience where appropriate
 - All instructors provide integration of academic and workplace skills as they reinforce the competencies
 - Procedures to be implemented which foster vertical and horizontal articulation within the school and affiliated schools
 - Instructors use effective teaching techniques for productive class time
 - A policy handbook shall be provided to students, parents, staff
- **INSTRUCTION**
 - How each course's unit value is determined
 - Appropriate high school credit awarded for course completion
 - Career practicum—requirements; how credit is earned
 - Requirements for students earning IEP credit
- **INSTRUCTIONAL ASSESSMENT/IMPROVEMENT**
 - Students to receive frequent assessment of their progress
 - Instructors to assess effectiveness of instruction re: PASS competencies

STANDARD IV

INSTRUCTIONAL PROGRAM

OAC¹⁶ 210:35-13-41. **Statement of the standard**

The instructional program of the technology center is designed to develop knowledge and skills as well as to assist students in their efforts to improve their understandings of the work place. The instructional program shall provide cultural, social, economic, lifelong learning, and other elements which will enable students to function successfully and independently in a democratic society.

OAC 210:35-13-43. **Instructional quality**

- (a) The curriculum shall reflect the school's statement of philosophy, mission, and goals in which student success is the highest priority. The goals and objectives of each program shall be consistent with the school's statement of philosophy, mission, and goals.
- (b) The school climate shall be conducive to learning, making the teaching/learning environment supportive of effective instruction. The instruction shall incorporate high expectations and successful experiences for all students.
- (c) Quality technology center instruction shall be accessible for all students with the interest and ability to benefit from career preparation. Provisions shall be made for students of varying aptitudes, levels of intellectual development, and interests to reach expected learner outcomes. Instruction in the technology centers shall be accessible in accordance with state and federal guidelines.
 - (1) Students shall be provided access to *CareerTech* education and facilities without regard to race, color, national origin, sex, age, or disability.
 - (2) Enrollments shall comply with the established guidelines of the appropriate division of the Oklahoma Department of Career and Technology Education. Exceptions must have written approval by the appropriate state program administrator prior to the second week of class. Consideration shall be given to the availability of work stations and clinical experiences.
- (d) Each *CareerTech* pathway and/or cluster shall have at least one advisory committee which provides input for instructional content and direction. The advisory committee shall be diversified with the majority of membership representative of careers that students are preparing to enter.
- (e) Resources of industry, business, and the community shall be utilized to provide appropriate program enrichment.
- (f) *CareerTech* and related instruction shall provide the following components:
 - (1) well-defined instructional objectives stated in measurable terms
 - (2) performance criteria for specific skills
 - (3) systematic planning by professional staff

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2014-2015 Standards for Accreditation of Oklahoma Schools

- (4) the selection and use of varied types of instructional materials and learning experiences
 - (5) the specific adaptation of organizational and instructional procedures to meet the needs of students
 - (6) the use of varied evaluation instruments and procedures which are congruent with instructional objectives, and
 - (7) quality instructional delivery which includes effective use of current technology.
- (g) *CareerTech* instructors in all technology centers shall use instructional materials developed by the Oklahoma Department of Career and Technology Education or other materials which are consistent with the desired outcomes as specified by the appropriate state program administrator. Instructional materials are developed by the Curriculum and Instructional Materials Center of the Oklahoma Department of Career and Technology Education. When using/selecting these and other materials, it is important that they reflect input from advisory committees as it relates to current industry practices and technology.
- (h) An adequate amount and variety of instructional materials and equipment shall be provided to accomplish the stated instructional objectives.

OAC 210:35-13-44. Instructional delivery/process

- (a) Instruction shall be designed specifically to meet the individual *CareerTech* and educational needs of its students. It shall encompass essential *CareerTech* areas and provide necessary laboratory, enrichment, and academic support experiences, plus work experience, where appropriate. Each *CareerTech* instructor shall be responsible for providing appropriate activities which will contribute to the development of each *CareerTech* student according to the student's career objective, and for conducting and reporting student follow-up upon exit from or completion of a career major.
- (b) All *CareerTech* instructors shall provide integration of academic and essential workplace skills as they reinforce the competencies. Academics taught in the technology center shall be delivered in the context of the career each student is preparing to enter.
- (c) Provisions shall be made for students to develop proficiency in reading and communication, scientific, and computational skills.
- (d) Provisions shall be made for continuity in course work that will permit students to achieve desired competencies.
- (e) Procedures shall be established and implemented which foster vertical and horizontal articulation within the school and with affiliated schools. Articulation may be with institutions of higher education, sending schools, or with other technology centers.
- (f) Parents/guardians shall be informed regularly about student progress.
- (g) Instructors shall use effective teaching techniques which make the most productive use of classroom time. Evidence should be provided that instructors meet the minimum criteria for effective teaching.
- (h) The technology center shall provide a handbook which includes policies, behavior codes, grading policies, and other kinds of information important to students, parents/guardians, and staff members. The behavior code shall address absenteeism,

2014-2015 Standards for Accreditation of Oklahoma Schools

vandalism, and disruptive behavior, and shall be developed with the appropriate involvement of students, parents/guardians, and staff members.

- (i) There shall be specific procedures for reporting child abuse and child neglect.
- (j) There shall be activities within the school that provide for and/or facilitate the positive self-esteem of students and staff members.

OAC 210:35-13-45. Instruction

- (a) Students shall be provided the opportunity to acquire competencies needed for employment and shall receive high school credit for the coursework where competencies are attained. The unit(s) value for a *CareerTech* course(s) shall be determined by applying the following time factors.

- (1) One period daily in class - 1 unit
- (2) Two periods daily in class - 2 units
- (3) Three periods daily in class - 3 units
- (4) Four periods daily in class - 4 units

A student not completing both semesters of any course taught as a 2-semester course shall be granted 1/2 the above credit for successful completion.

- (b) Majors using the cooperative delivery method of instruction shall follow guidelines described in *The Rules for Career and Technology Education*.
- (c) High School credit shall be given for courses listed in current OCAS coding. Technology center courses in which secondary students are enrolled may count toward the 38 required units of credit which must be offered by a high school. Some courses such as Aviation Maintenance Technology may require additional course work prior to the student being certified or employed. Requests for approval of courses not listed must be submitted in writing to the Oklahoma Department of Education, Accreditation Section prior to offering the course. Written approval to offer these courses must be kept on file in the administrative offices. In accordance with OAC 210:35-9-31 *Program of Studies* (e), secondary *CareerTech* courses may be designed to offer sets of competencies integrated within the curriculum to provide the teaching and learning of the skills and knowledge in the Priority Academic Student Skills. Appropriate academic credit may be awarded for student mastery of these sets of competencies.
- (d) The career practicum shall be a planned sequence of work-site learning experiences that are relevant to the student's career major, coordinated with the academic/school-based curriculum and includes work site mentoring. Units of credit for the career practicum may be granted according to the guidelines described in *The Rules for Career and Technology Education*.
- (e) Students who have Individualized Education Programs (IEP) may earn academic credit toward high school graduation for coursework completed at a technology center, provided that state and federal legislation and policies are followed and:
 - (1) The IEP team documents the specific competencies which address the Priority Academic Student Skills required for the core academic courses and that the course is taught by a highly qualified teacher;
 - (2) The IEP is developed with the full participation, as an IEP team member, of a representative from the technology center in which the student will be enrolled;

2014-2015 Standards for Accreditation of Oklahoma Schools

- (3) The specific course for which the student will receive credit is documented through the Individualized Education Program for the student; and,
- (4) The high school and the IEP team monitor the student's progress to assure both the high school and the technology center are meeting the provisions of the IEP. [[34 CFR 300.347](#)]
- (f)
 - (1) Qualified agricultural education courses (including but not limited to Horticulture, Plant and Soil Science, Natural Resources and Environmental Science and Animal Science) may count as two of three science credits required for high school graduation. [[70 O.S. §11-103.6\(B\)\(3\)](#)]
 - (2) Credit may be granted for Applied Biology/Chemistry, Physics, Principles of Technology, Applied Mathematics I and II and Computer Science whether taught at the Comprehensive level or at a Career and Technology Center. [[70 O.S. §11-103.6\(B\)\(3\)](#) and [70 O.S. §11-103.6\(F\)\(2\)](#)]
 - (3) Students may receive credit for academic courses taught at the Career and Technology Center, when that center adheres to current law regarding such credit.
 - (4) Students must meet, within the structure of the academic class, the attendance requirements of their comprehensive schools in order to receive academic credit. Further, the limit of ten days of absence from the academic class for school-related activities applies.

OAC 210:35-13-46. Instructional assessment/improvement

- (a) The school shall have a written improvement plan through which the results of instructional assessments are utilized to initiate instructional improvements and curricular alignment.
- (b) Students shall receive regular and frequent assessment of their instructional progress.
- (c) The results of the student assessment process shall be used to modify curriculum and instructional methodology.
- (d) Instructors shall be involved in assessing the effectiveness of instruction by reviewing objectives periodically to assess competencies in the Priority Academic Student Skills.
- (e) *CareerTech* instruction shall be based on periodic assessment of work force needs and the evaluation of curriculum in terms of those needs.

STANDARD V

THE SCHOOL STAFF

In this standard:

- **INSTRUCTORS**
 - All instructors must hold the appropriate, valid Oklahoma license or certificate as specified by the State Board of Education
 - Each instructor shall provide appropriate activities to contribute to the development of each student's career objective
 - Class size adapted to program specifics as required in [*The Rules for Career and Technology Education*](#) (OAC Title 780)
- **SPECIAL PROFESSIONAL PERSONNEL**
 - Counselors certified and credentialed for appropriate grade level
 - Other guidance program staff to be credentialed/trained according to responsibilities
 - Resource center personnel and noninstructional professional staff shall have appropriate education and training
 - Paraprofessionals who work exclusively with special needs students must meet Oklahoma State Department of Education Special Education paraprofessional standards
- **ADMINISTRATIVE AND SUPERVISORY PERSONNEL**
 - Must meet certification requirements as specified by the State Board of Career and Technology Education and the State Board of Education
 - Superintendent
 - Deputy or assistant superintendent
 - Principal or director
 - Assistant principal or assistant director
- **SUPPORT STAFF AND OTHER NON-TEACHING PERSONNEL**
 - Must have skills and preparation adequate to perform assigned duties
 - Paraprofessionals and teacher assistants must meet OK qualifications, and shall only be used in situations permitted by state regulations
 - Custodial and maintenance staff adequate to maintain facility required
 - Adequate clerical staff required to assist professional staff
 - Drivers of school vehicles must fulfill State Board of Education regulations
- **PROFESSIONAL DEVELOPMENT PROGRAMS**
 - To be developed through instructional objectives, needs assessment, and faculty/staff involvement
 - Instructors shall participate in inservice activities which update their technical/academic expertise and instructional methodology

STANDARD V

THE SCHOOL STAFF

OAC¹⁷ 210:35-13-51. **Statement of the standard**

The technology center is staffed by administrators and instructors who are well qualified in professional and technical skill areas and who are actively encouraged by the school system to improve their competencies. The staff participates in decision-making affecting instruction at the school and teaches under conditions favorable to effective performance. The staff is encouraged to participate in appropriate professional organizations and activities.

OAC 210:35-13-53. **Instructors**

- (a) All instructors of secondary students in technology centers shall hold the appropriate/valid Oklahoma license or certificate as specified by the State Board of Education.
- (b) Each *Career*Tech instructor shall be responsible for providing appropriate activities which will contribute to the development of each student's career objective.
- (c) Class size shall be adapted to meet the requirements of the specific program in accordance with *The Rules for Career and Technology Education*.

OAC 210:35-13-54. **Special professional personnel**

- (a) Personnel providing guidance in technology center shall be qualified to assist students in reaching their occupational goals.
 - (1) Counselors shall be appropriately certified and credentialed for the grade levels to which they are assigned. School counselors shall hold a valid Oklahoma School Counselor Certificate appropriate for the grade levels to which they are assigned or a comparable credential if working with adults. The title of counselor should only be applied to those staff with appropriate certifications and/or credentialing.
 - (2) Other technology center guidance program staff shall have credentials/training appropriate to assigned responsibilities.
- (b) Resource center personnel shall have appropriate educational preparation which meets the needs of students.
- (c) Members of the noninstructional professional staff shall have appropriate education and training.
- (d) Paraprofessionals working exclusively with special needs students must meet State Department of Education Special Education paraprofessional standards.

OAC 210:35-13-55. **Administrative and supervisory personnel**

- (a) All administrative and supervisory personnel shall meet the requirements for certification as specified by the State Board of Career and Technology Education and

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2014-2015 Standards for Accreditation of Oklahoma Schools

the State Board of Education. A description of the requirements for the Technology Center Administrator's Credential is provided in [The Rules for Career and Technology Education](#).

(1) Superintendent

The technology center superintendent who is the administrative head of the school system shall hold a valid Oklahoma superintendent's certificate. In addition, the technology center superintendent shall have a Technology Center Administrator's Credential which is issued by the Oklahoma Department of Career and Technology Education.

(2) Deputy or assistant superintendent

A deputy or assistant superintendent shall hold the same certification/credential as the superintendent.

(3) Principal or director

The technology center principal or director shall hold a valid Oklahoma secondary principal's certificate. In addition, the technology center principal or director shall have a Technology Center Administrator's Credential which is issued by the Oklahoma Department of Career and Technology Education.

(4) Assistant principal or assistant director

An assistant principal or assistant director shall hold the same certification/credential as the principal or director.

OAC 210:35-13-56. Support staff and other non-teaching personnel

- (a) Support staff shall have adequate skills and preparation to perform the assigned duties of their positions.
- (b) Paraprofessionals and teacher assistants shall meet Oklahoma qualifications for their respective positions. They shall be used only in those situations permitted by state regulations. [[70 O.S. § 6-127](#)]
- (c) The custodial and maintenance services shall be adequate to maintain facilities that are safe, clean and attractive. Where applicable, custodians and maintenance workers shall meet the legal standards of the state pertaining to their training and employment.
- (d) Adequate clerical staff shall be provided to assist professional staff.
- (e) Drivers of school vehicles shall meet the qualifications under the current school laws of Oklahoma and regulations of the State Board of Education.

OAC 210:35-13-57. Professional development programs

- (a) Professional development programs and inservice training shall be developed through instructional objectives, needs assessment, faculty and staff involvement. Inservice training shall be planned to meet objectives and identified needs. Participants shall evaluate the professional development program. Such evaluation shall include an evaluation of the professional development, including each inservice activity. Each certified staff member shall have an individualized professional development plan on file. This plan shall be based on self-appraisal, maintained and updated annually.
- (b) Orientation and professional development inservice activities shall provide initial assistance for new staff and encourage continued professional growth for all staff.

2014-2015 Standards for Accreditation of Oklahoma Schools

- (c) Instructors shall participate in ongoing inservice activities which continually update their technical/academic expertise as well as instructional methodology. New technology center instructors shall participate in preservice professional development activities as required by the appropriate divisions of the Oklahoma Department of Career and Technology Education. All secondary and full-time adult *CareerTech* instructors and staff shall participate in professional inservice activities as required by the appropriate divisions including *CareerTech* summer conference. New teachers are also required to participate in the Residency/Mentoring program as required by the appropriate divisions of the Oklahoma Department of Career and Technology Education. The Oklahoma *CareerTech* Teacher Induction process shall be recognized as the equivalent to the residency/mentoring program.

STANDARD VI

STUDENT SERVICES

In this standard:

- **ASSESSMENT**
 - Technology center provides/acquires assessment documentation before enrollment, to assist students in making appropriate placement choices
 - Admission to a technology center not contingent on any single measure—career skills needs, interests, and abilities of the student are the basis for determining sequences of courses
 - Student progress reviewed periodically to determine guidance needs
- **GUIDANCE SERVICES**
 - An identifiable guidance program must be in place, and sufficiently staffed
 - Guidance program includes:
 - Individual career plan or service strategy plan for each student
 - All students are enrolled in a career major/pathway based on documented interest and ability, IEP provisions, & other factors
 - Guidance staff coordinates with staff from partner school and institutes of higher education
 - A written description of the guidance program shall be developed
 - Adequate and appropriate space are provided for program
 - If appropriate, a technology center representative shall be on a student's IEP team
- **PLACEMENT SERVICES**
 - Organized and systematic services available for students seeking further education and/or job placement

STANDARD VI

STUDENT SERVICES

OAC¹⁸ 210:35-13-71. **Statement of the standard**

A balanced and comprehensive student services program is provided to positively impact the enrollment and successful completion of each individual student's *CareerTech* Plan of Study. The technology center provides the guidance personnel, facilities, and materials required to meet the specialized needs of its students.

OAC 210:35-13-73. **Assessment**

- (a) The technology center provides or acquires assessment documentation prior to enrollment to assist students making the appropriate choice for career major placement and in identifying the purpose, interest, and goals in attending the technology center. Results are provided to guidance and other appropriate staff and explained to the prospective student prior to or as a part of the enrollment process.
- (b) The assessment of career skills needs, interests, and abilities of students shall be the primary basis for determining the appropriate *CareerTech* sequences of courses. Admission to the technology center shall not be contingent upon any single measure but upon a combination of factors including but not limited to achievement levels, aptitude, interest, work history, and ability to benefit in terms of employment or further education.
- (c) A periodic review shall be made of the student's progress to determine the guidance and counseling needs of individual students.

OAC 210:35-13-74. **Guidance services**

- (a) Each technology center has an identifiable guidance program in place to provide students with information and advisement about career and educational options; develop strategies to support nontraditional enrollment and overcome gender bias and stereotyping, and provide support for success in their career pathway. The guidance program is implemented and administered by an adequate number of credentialed staff and coordinated by staff with experience in delivering or supervising student services that address the career development needs of all students. This includes but is not limited to:
 - (1) All students have developed, updated, and on file, an individual career plan, student service strategy plan, or locally developed plan of study for career and academic services to be provided for maximized success and employability.
 - (2) All students are enrolled in a technology center career major or pathway on the basis of their documented interest and ability to benefit from training, work history, IEP provisions, accommodation plans, and/or their plans of study developed at the sending school or in cooperation with other agencies.

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2014-2015 Standards for Accreditation of Oklahoma Schools

- (3) The technology center guidance staff coordinates services with guidance and counseling staff from partner schools, higher education institutions, and other agencies through planned informational meetings, correspondence, and/or other communications.
- (b) A written description of the guidance program shall be developed addressing the needs of all students and shall establish goals, objectives, and evaluation of guidance curriculum, individual planning, responsive services, and system support. Guidance curriculum refers to classroom activities and group guidance. Individual planning means individual advisement, assessment, and career guidance and counseling. Responsive services refer to consultation, personal counseling, crisis counseling, small groups, and referral. System support refers to research, professional development, advisory committee work, and program management.
- (c) Each technology center shall provide adequate and appropriate space affording privacy, clerical help, and materials for the effective implementation of a guidance program.
- (d) The technology center guidance program shall complement and coordinate with those services available in the sending schools for counseling, assessment, staff consulting, educational and career planning, and follow-up activities.
- (e) If a career major at the technology center is considered to be an appropriate part of the student's Individualized Education Program (IEP), a representative of the technology center shall be on the IEP team. A copy of the IEP must be received by the technology center prior to the student's arrival on campus in order for the student to be legally enrolled, and the *CareerTech* instructor shall have access to a copy of the IEP before the identified student begins instruction.

OAC 210:35-13-75. Placement services

The technology center shall provide organized and systematic guidance and placement services for those students seeking further education and/or job placement. Transition services for special needs students should be coordinated with the local education agency.

STANDARD VII

STUDENT ORGANIZATIONS

In this standard:

- **CAREERTECH STUDENT ORGANIZATION (CTSO) ACTIVITIES**
 - Each career major/pathway must have an active and appropriate CTSO
 - A CTSO's leadership development activities are to be supervised by the appropriate instructor
 - Maximum number of absences for activities is ten days per school year
 - Exception for state and national competitions
 - Accomodations shall be provided to facilitate special needs students' participation in CTSO activities
 - School and CTSO accountable for the actions of participating advisors and students

STANDARD VII

STUDENT ORGANIZATIONS

OAC¹⁹ 210:35-13-91. **Statement of the standard**

The technology center provides a diversified and balanced program of appropriate *CareerTech* Student Organization (CTSO) activities which are an integral part of each *CareerTech* career major and/or pathway.

- (1) Each *CareerTech* career major and/or pathway shall have an active and appropriate CTSO as an integral part of the instruction. Appropriate CTSO's are defined as follows: DECA/Delta Epsilon Chi, Marketing Education; Business Professionals of America (BPA), Business and Information Technology Education; Family, Careers, and Community Leaders of America (FCCLA), Family and Consumer Sciences Education; Health Occupations Students of America (HOSA), Health Careers Education; and SkillsUSA, Trade and Industrial Education.
- (2) Each student who participates in a CTSO shall be involved in the CTSO which provides the greatest benefit.
 - (A) The maximum number of absences for activities, whether sponsored by the sending school, technology center, or outside agency/organization, which removes the student from the classroom shall be ten for any one class period of each school year. Excluded from this number are state and national levels of school-sponsored competitive events. State and national competitive events are those for which a student must earn the right to compete.
 - (B) Students who participate in CTSO activities at the technology center shall meet the eligibility rules of the sending schools in which they are also enrolled. It is recommended that the eligibility rules meet or exceed the rules of the Oklahoma Secondary School Activities Association.
- (3) The leadership development activities associated with the CTSO shall be directed and supervised by the appropriate *CareerTech* instructor with support and guidance from the technology center administration.
- (4) The school shall provide resources needed to support the CTSO activities.
- (5) The school shall ensure appropriate accommodations are provided to eligible special needs students in order to fully participate in CTSO activities.
- (6) School-sponsored activities held when school is not in session shall follow the same standards as those held during the regular school year.
- (7) The technology center shall cooperate with the sending school to support participation of students in co-curricular and extracurricular activities of the home school.
- (8) The school and the CTSO chapter shall be held accountable for the actions of the CTSO advisor and members participating in any CTSO activity.

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STANDARD VIII

FINANCIAL SUPPORT

In this standard:

- **Sufficient funds to meet Oklahoma Accreditation Standards are required**
- **Accounting procedures of the State Board of Education and the *Rules for Career and Technology Education* must be followed**
- **Ongoing evaluation of goals and expenditures necessary, to redirect funds for changing needs**

STANDARD VIII

FINANCIAL SUPPORT

OAC²⁰ 210:35-13-101. **Statement of the standard**

The technology center provides financial support in sufficient amount to maintain excellence in staff, facilities, and materials to meet the needs of the students.

- (1) Sufficient funds shall be provided annually to ensure that the Oklahoma Accreditation Standards are met or exceeded. Reasonable financial effort is being made when consideration is given to such factors as local, state, federal, and other sources of income as well as the per student expenditure for instructional purposes.
- (2) The technology center shall adhere to the financial management and accounting procedures listed in [The Rules for Career and Technology Education](#) and State Board of Education *School Financial Technical Assistance Document*.
- (3) Adequate/appropriate supplies and equipment shall be provided by the technology center to support the educational instruction. The appropriate state manager shall be consulted before state funds are used for equipment acquisition.
- (4) The schools shall continuously evaluate the achievement of goals, review expenditure of funds relative to achieving goals, and redirect funds if necessary, to focus upon changing and emerging needs.
- (5) In reviewing the school's budget plan, the governing board shall take into account the school's mission, vision, and goals and the needs of the students and community served. The annual school budget shall be reported to the various school publics.

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STANDARD IX

TECHNOLOGY CENTER FACILITIES, EQUIPMENT, AND SUPPLIES

In this standard:

- **SCHOOL FACILITIES: SIZE AND SPACE; ACCESSIBILITY; MAINTENANCE**
 - Site and buildings are properly sized/equipped for the number of occupants
 - Site and buildings are fully accessible to persons with disabilities
 - Adequate space for classrooms, specialized instructional areas, and support facilities
 - Facilities must accommodate changes in a career major's equipment or curriculum instruction delivery
 - Preventive and corrective maintenance plans in place
- **SCHOOL FACILITIES: EQUIPMENT AND SUPPLIES**
 - Up-to-date equipment, facilities, and supplies required
- **SCHOOL FACILITIES: HEALTH AND SAFETY**
 - Adequate lighting, signage, drainage, and vehicle loading area required
 - All plumbing, electrical, mechanical, utility, and emergency systems are designed, built, and maintained to applicable standards
 - Appropriate procedures implemented for hazardous materials
 - Proper precautions taken to prevent injuries
 - Regular safety inspections required; emergency/disaster procedure review conducted annually
- **SCHOOL FACILITIES: PROTECTION OF RECORDS**
 - Student and staff permanent records protected from theft, fire, and damage
- **SCHOOL FACILITIES: SITE/SPECIFICATIONS APPROVAL; LONG-RANGE PLANS FOR REPLACING/UPDATING SITE**
 - State Board must approve the locations of technology center sites
 - An official campus must have at least 5 full time instructors
 - Oklahoma Department of Career and Technology Education must approve capital improvement projects
 - A technology center district's board of education may approve plans for buildings and modifications paid for by local levies or state bond monies, without prior approval of the State Board of Career and Technology Education
 - State Board prior approval required for modifications funded by state appropriations or the Education Lottery Trust Fund

STANDARD IX

TECHNOLOGY CENTER FACILITIES, EQUIPMENT, AND SUPPLIES

OAC²¹ 210:35-13-111. Statement of the standard

The technology center facilities support the instruction, contribute to the learning experiences of students, promote safety and health of the occupants, and are vital to the implementation of a well-defined statement of educational philosophy and goals.

OAC 210:35-13-113. School facilities: size and space; accessibility; maintenance

- (a) The technology center facilities, equipment, and supplies shall meet identified standards of design, use and maintenance. [*Rules for Career and Technology Education*; [70 O.S. § 5-131](#); [70 O.S. § 18-152](#)]
- (b) The site and building(s) shall be properly sized and equipped for the number of occupants served. [[74 O.S. § 324.8](#);—BOCA, SBCCI or ICBO; [70 O.S. § 5-131.1](#); [25 O.S. § 153](#); [25 O.S. § 91.2](#); [47 O.S. § 11-801](#); [11 O.S. § 22-117](#); and [74 O.S. § 324.11](#)]
- (c) The site and building(s) shall be fully accessible to individuals with disabilities. [[70 O.S. § 13-103](#)]
- (d) Adequate space shall be provided for classrooms, specialized instructional areas, and support facilities. These areas shall be grouped and arranged in such manner as to provide optimum instructional function and class control. [[70 O.S. § 18-152](#)]
- (e) School facilities shall be able to accommodate changes in curriculum instruction delivery and/or equipment within a career major. [[70 O.S. § 18-152](#); [70 O.S. § 5-117.4](#)]
- (f) Plans for preventive and corrective maintenance shall be developed and implemented to ensure that the site and building(s) will be clean, in good repair and maintained with consideration for function and aesthetic values. [[70 O.S. § 18-152](#)]

OAC 210:35-13-114. School facilities: equipment and supplies

Equipment, furnishings, and supplies which are up-to-date technically shall be maintained in proper quantity and quality. A system shall be developed and implemented for inventory, usage, storage, repair and replacement.

OAC 210:35-13-115. School facilities: health and safety

- (a) The site shall be free from hazards, provide a safe area for (un)loading of vehicles, with adequate lighting, signage, and drainage. [[74 O.S. § 324.8](#) State/Municipality Adoption of Building Codes—BOCA, SBCCI or ICBO; [47 O.S. § 11-801](#) Speed Limit for School Buses—School Zones Outside Municipalities—Signs; [11 O.S. § 22-117](#) School Speed Limit Signs in Municipalities]
- (b) The site and building(s) shall ensure that the health and safety of those served are properly safeguarded. Where required, the facility shall have utility systems, plumbing systems, electrical systems, mechanical systems, emergency systems, building interiors

²¹ PLEASE NOTE: The Oklahoma Administrative Code is available online, but only permits linking to the front page. To view OAC material, click on the hyperlinked “OAC”, then select “View Code” from the options at the left side of the screen. Select the appropriate Title (210 for State Department of Education), then chapter number and subchapter, until you have reached the desired code section.

2014-2015 Standards for Accreditation of Oklahoma Schools

and building envelope designed, built, and maintained to recognized standards, codes and/or other legal requirements. [[59 O.S. § 1002](#) Authorizes State Department of Health to Adopt Codes—BOCA Plumbing Code; [59 O.S. § 1681](#) Authorizes State Board of Health to Adopt Codes—Selections from NFPA; [59 O.S. § 1850.3](#) Authorizes State Board of Health to Adopt Codes—BOCA Plumbing Code; ~~61 O.S. § 151 through 157~~; [70 O.S. § 3-104](#); [74 O.S. § 324.7](#) Fire Marshal; [74 O.S. § 324.8](#) State/Municipality Adoption of Building Codes—BOCA, SBCCI or ICBO; and [74 O.S. § 324.11](#)]

- (c) Appropriate procedures for the handling of hazardous materials, hazardous waste, asbestos, underground storage tanks, lead contamination, and other applicable life, health and/or safety matters shall be developed and implemented. [[40 O.S. §§ 401-424](#) Oklahoma Hazard Communication Standard; Other citations—Occupational Safety and Health Standards; Asbestos Hazard Emergency Response Act; Lead Contamination and Control Act of 1988; Oklahoma Corporation Commission’s General Rules and Regulations Governing Underground Storage Tanks; Resources Conservation and Recovery Act of 1976 (Hazardous and Solid Waste Amendments of 1984)]
- (d) Proper precautions shall be taken to prevent injuries. All equipment and facility safety features shall be in place and properly maintained. [[70 O.S. § 24-117](#); [70 O.S. § 24-118](#); [70 § 1210.182](#) and [74 O.S. § 324.11a](#)]
- (e) A safety emergency/disaster procedure review shall be conducted at least annually. Safety inspection of site, building(s) and equipment shall be conducted on a regular basis. [[74 O.S. § 324.7](#) Fire Marshal; ~~63 O.S. § 176~~]
- (f) Procedures and regulations designed to safeguard students while traveling to and from school shall be developed, implemented and communicated to students, parents/guardians, staff, and sending school administrators. [[70 O.S. § 9.104](#); [47 O.S. § 11-801](#); [11 O.S. § 22-117](#); [70 O.S. § 24-121](#); [47 O.S. § 11-1104](#) Overcrowding; [47 O.S. § 12-228](#)]

OAC 210:35-13-116. School facilities: protection of records

Permanent records of students and staff shall be protected from theft, fire or other damage.

OAC 210:35-13-117. School facilities: site/specifications approval; long-range plans for replacing/updating site

- (a) **State Board approval of sites and branch campuses.** The State Board shall approve the location of a site for an official campus of a technology center district. If the campus is able to provide a minimum of five full-time instructors, then it may be recognized as an official campus and will be eligible for funding under a formula approved by the State Board. Branch campuses may be established by the technology center board of education to serve special needs or remote areas of the district. In the event the local board elects to pursue an additional campus or provide an ongoing instructional offering at a site other than the main campus, prior approval must be granted by the State Board. Factors that will be used in determining approval will include, but not be limited to, student travel time to nearest available *CareerTech* programs, district valuation, student enumeration, and local industry needs.
- (b) **Approval of capital improvement projects.** After local board approval, all plans and specifications for technology center buildings, additions, including parking lots and

2014-2015 Standards for Accreditation of Oklahoma Schools

modifications designed for *CareerTech* programs and/or services shall be reviewed by appropriate staff of the Oklahoma Department of Career and Technology Education and shall be approved by the technology center services division of the Oklahoma Department of Career and Technology Education. In addition all capital improvement projects must comply with local building codes and be reviewed by the local and/or state fire marshal and the State Department of Education.

- (c) **State Board approval of capital improvement projects.** The board of education of a technology center district may, without prior approval of the State Board of Career and Technology Education, approve all plans and specifications for technology center school buildings, additions, and major modifications to school buildings that are designed to provide for the offering of *CareerTech* education and services when the cost of the building project is to be paid with local levies or state bond monies or both local levies and state bond monies. ([70 O.S. § 14-108](#)) The State Board must grant prior approval of all plans and specifications for technology center school buildings, additions, and modifications to school buildings that are designed to provide for the offering of *CareerTech* education and services when the cost of the building project is to be paid with state appropriated funds, which includes projects funded with monies from the Educational Lottery Trust Fund, or both local levies and state appropriated funds.
- (d) Plans and specifications for technology center buildings and additions and major modifications of buildings shall be reviewed by the School Improvement Section of the State Department of Education. These plans shall be reviewed by the State Department of Education and the ODCTE and/or State Board of Career and Technology Education.
- (e) A long-range plan for replacing and/or updating the site, building(s) and equipment shall be developed and implemented.

PART III

**Rules of the
State Board of Education**

Section A:

ADMINISTRATION AND ORGANIZATION

PART III, SECTION A:
ADMINISTRATION AND ORGANIZATION

In this section:

- **ACQUIRED IMMUNE DEFICIENCY SYNDROME (AIDS): DETERMINING THE LOCATION OF A DIAGNOSED STUDENT'S EDUCATIONAL PROGRAM**
- **ADVISORY COUNCILS: ESTABLISHMENT AND DUTIES**
- **ALTERNATIVE EDUCATION ACADEMIES AND PROGRAMS**
- **ANNEXATION, CONSOLIDATION, AND DISPENSATION**
- **CAPITAL IMPROVEMENT**
- **COMPUTER ASSISTED PUPIL ACCOUNTING**
- **EARLY CHILDHOOD EDUCATION PILOT PROGRAMS**
- **EDUCATIONAL SERVICES IN DAY TREATMENT PROGRAMS**
- **EDUCATIONAL SERVICES IN RESIDENTIAL TREATMENT PROGRAMS**
- **FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT (FERPA)**
- **STUDENT DATA ACCESSIBILITY, TRANSPARENCY, AND ACCOUNTABILITY ACT**
- **OPEN RECORDS ACT**
- **BULLYING**
- **NONTRADITIONAL INSTRUCTIONAL DELIVERY SYSTEMS**
- **SUPPLEMENTAL ONLINE COURSES**
- **OKLAHOMA HONOR SOCIETIES**
- **PRIVATE ACCREDITING ASSOCIATIONS**
- **PROFESSIONAL DEVELOPMENT**
- **READING SUFFICIENCY ACT**
- **TRANSPORTATION**

ACQUIRED IMMUNE DEFICIENCY SYNDROME (AIDS): GUIDELINES FOR DETERMINING THE LOCATION OF A DIAGNOSED STUDENT'S EDUCATIONAL PROGRAM

OAC²² 210:10-1-12. Acquired immune deficiency syndrome (AIDS)

- (a) The State Department of Education adheres to the following guidelines, upon the recommendation by the Oklahoma State Health Department, in the event a student is diagnosed as having Acquired Immune Deficiency Syndrome (AIDS).
- (1) When a child in the public schools is diagnosed as having AIDS, the State Health Department must be contacted.
 - (2) Determinations regarding the location of an AIDS student's educational program will be made on a case-by-case basis by a team composed in each instance of the child's parent or guardian, the child's physician, the local superintendent, a representative of the State Health Department, and a representative of the State Department of Education.
 - (3) The team will meet and make a decision as to whether the child in question should be in attendance in the public schools. Such decision will then be recommended to the local board of education.
 - (4) In making a recommendation as to the child's attendance in a public school, the team will utilize the guidelines published by the Centers for Disease Control.
- (b) Questions concerning the administration or implementation of these guidelines should be addressed to the State Department of Education. For any medically-related questions, contact the State Health Department Sexually Transmitted Disease Division. **(01)**

ADVISORY COUNCILS: ESTABLISHMENT AND DUTIES

OAC 210:10-1-11. Advisory councils

(a) **Membership/functions**

Membership of such councils shall be representative of the people to be served. Parent and community involvement does not mean making policy decisions or exercising control in place of certified educators and duly selected boards. Advisory councils are for advice as the name implies, not control, and this Board, as local boards should, too, reaffirms and expects that all such committees or groups will abide by the rules, regulations, and policies of the school district wherein administration, operation, and regulation are functions assigned to professional educators.

(b) **Selection**

Except where specified differently by law, members on advisory councils shall be recommended by the Superintendent or Executive Officer of the Board. Names are usually solicited from subordinate administrators and other knowledgeable leaders.

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2014-2015 Standards for Accreditation of Oklahoma Schools

Where special parent advisory councils or other committees are required, this Board expects the law, whether federal or state, to be enforced and the council established.

(c) **Reimbursement**

Advisory council members who are performing substantial and necessary service may be reimbursed for such expenses, according to the *State Travel and Reimbursement Act* [[74 O.S. §§ 500.1-500.18](#)], *State Purchasing Laws* [[74 O.S. § 85](#)], State Board rules and regulations, and local policies at the district level. **(01)**

ALTERNATIVE EDUCATION ACADEMIES AND PROGRAMS

OAC 210:35-29-2. Definitions

The following words and terms, when used in this subchapter, shall have the following meaning, unless the context clearly indicates otherwise.

“Alternative education” means an educational process incorporating appropriate structure, curriculum, interaction, and reinforcement strategies to stimulate learning with students who have not utilized their capacity to do so within traditional educational settings.

“Abbreviated school day” means, for purposes of an alternative education program approved by the State Board of Education, a school day which consists of not less than four (4) hours and 12 minutes per day devoted to school activities for the locally approved 180-day or 1080 hour school calendar.

(09)

OAC 210:35-29-6. Personnel: certification; criminal record searches

Special rules that pertain to alternative education academies, programs and schools are:

- (1) Teachers must be certified teachers but are not restricted to grade-specific or subject-specific areas. Assignment out of regular subject area(s) or grade level(s) certification requires State Department of Education approval. [[70 O.S. § 1210.567](#)]
- (2) Administrators must be certified school administrators but are not restricted to specific grade levels. Assignment out of grade level certification requires State Department of Education approval.
- (3) A criminal record search must be conducted on all personnel currently employed or to be employed in alternative education academies, programs, and schools. **(95)**

OAC 210:35-29-7. Abbreviated day schedule

Abbreviated day schedules may be adopted by alternative education schools and alternative education programs. Students attending approved abbreviated day alternative education schools and alternative education programs for the full abbreviated day shall be counted in attendance for purposes of computing average daily attendance and average daily membership for the district. **(95)**

ANNEXATION, CONSOLIDATION, AND DISPENSATION

OAC 210:1-3-2. Annexation, consolidation and dispensation, and severance determination

(a) **State Board of Education role.** The State Board of Education's role is: to receive and implement an order from the State Superintendent which declares that all or part of a district has been voted to be annexed, following statutory requirements, to adjacent or transporting district(s); to decide on the division of assets and property of a disorganized district in the event the problem cannot be resolved by the boards of annexing districts; and to set standards, promulgate rules and procedures, and conduct studies relating to the consolidation of two or more adjacent school districts. [70:7-105 & 106]

(b) **Mandatory annexation.**

(1) Mandatory annexation will be considered by the State Board of Education upon occurrence of the following situations:

(A) When a school district has been declared "academically at-risk" pursuant to [70 O.S. §1210.541](#).

(B) When a school district is nonaccredited by the State Board of Education.

(C) When a district, without officially dispensing with school, fails to open or maintain a school (except when situations beyond the control of the district cause a normal delay). [[Title 70 O.S. § 8-106](#)].

(2) When it comes to the attention of the State Board of Education that a local school district is facing the possibility of mandatory annexation, the State Board of Education shall provide the district with an opportunity to be heard. The State Board of Education shall notify the superintendent and each school board member of the time, date and place of the meeting. At the meeting, representatives of the school district, including patrons, shall have an opportunity to address the State Board of Education and to provide information to the Board. The President of the State Board of Education may set time limits on individual presentations and may require groups to select a representative to speak on behalf of the group.

(3) When the State Board of education determines that a local school district is to be mandatorily annexed, the following steps will be followed:

(A) The Board will notify one or more of the potential receiving districts that they are responsible for taking an inventory of property and securing the buildings and other property of the district being mandatorily annexed. In selecting the district(s) responsible for this procedure, the State Board of Education may rely on recommendations from the State Superintendent.

(B) The State Board of Education will immediately notify the district superintendent of the Board's action.

(C) The state superintendent shall notify the parents or legal guardians of all students in the district being annexed that they must apply for a transfer to the state superintendent within 10 days of the State Board of Education's action to annex. The state superintendent may require the parents to furnish a legal description of their residence at the time the transfer request is made.

(D) Once the state superintendent has received the transfer requests, she/he shall notify the State Department of Education, in writing, of the breakdown of where

2014-2015 Standards for Accreditation of Oklahoma Schools

students are asking to attend school by transfer and provide the State Department of Education with the legal description of the residence of each student.

(E) The State Department of Education will utilize the transfer requests and legal descriptions submitted to the state superintendent as a guide in plotting the proposed boundary lines for dividing the annexed district. To the maximum extent possible, the preference of the students and parents shall be acknowledged.

(F) The State Department of Education will present the proposed boundary lines for division of the annexed district to the State Board of Education for approval. The proposal shall be accompanied by the legal description of the property being annexed.

(G) The assets and liabilities of the annexed district shall become part of the annexing districts. When an annexing district assumes a debt incurred by the annexed district prior to July 1, the district assuming the debt should receive a comparable portion of the assets.

(H) When two or more annexing districts are involved in the division of an annexed district, the assets and liabilities are divided by agreement between the boards of education. If the boards of education are unable to agree, the matter shall be divided by the State Board of Education.

(c) Consolidation of school districts.

(1) A petition by the board of education of any school district desiring a study of the consolidation of such school district with another school district or districts, or proposing such consolidation, shall be signed by the president and clerk of such board of education, and such petition shall be considered by the State Board of Education at its next regular meeting. If a study of the proposed consolidation is deemed proper and advisable, the Secretary of the State Board of Education shall forthwith advise the boards of education of all districts involved that a study of the proposed consolidation is going to be made.

(2) The State Board of Education reserves the right to make a study of the advisability of consolidating two or more school districts in any area of the State, on its own initiative, and without any petition from a board of education. When such decision is made, each school district involved shall forthwith be advised that such study is going to be made, and such districts shall be directed to determine, by such procedures as the State Board of Education may prescribe what, if any, consolidation should be carried on in the area under study.

(3) All studies of the advisability of consolidation shall be under the direction of the President of the State Board of Education, who shall utilize the services of appropriate divisions of the State Department of Education.

(4) If after a study of the population, wealth, terrain, trade areas and other pertinent factors, it is determined that two or more school districts should be consolidated, the board of education of each school district involved shall be so advised.

(5) No election to determine consolidation shall be called or held unless there shall have been filed with the State Board of Education a petition therefore, signed by a majority of the school district electors of each school district included in the proposed consolidation. When such a petition is received and is determined to be sufficient, the State Board of Education shall call an election for the purpose of affording to the school

2014-2015 Standards for Accreditation of Oklahoma Schools

district electors in the school districts involved an opportunity to express their wishes through a majority vote of the school district electors in the entire territory involved. Notice of such election, stating the time and date thereof and the polling places, shall be posted in five (5) public places in each school district involved, not less than ten (10) days before date of such election. Such election shall be conducted by one or more members of the State Department of Education, as designated by the President of the State Board of Education.

(6) If a majority vote at such election is in favor of consolidation, the State Board of Education shall issue a written order to such effect, declaring the participating school districts dissolved and the new school district established. Copies of such order shall be sent to the county treasurer, county assessor and the county clerk of each county in which the districts involved are situated, and to the Oklahoma Tax Commission, and to the board of education of each school district involved. If a majority vote at such election is not in favor of consolidation, the State Board of Education shall make a written order to such effect, and shall send a copy thereof to the board of education of each school district involved.

(7) The local board of education members representing the school district having the largest number of enumerated children shall serve as board members of the newly-formed school district for the remainder of their term.

(8) All liabilities, assets, powers and duties shall become the responsibility of the newly-formed school district.

(d) Dispensing with a school district.

(1) Should residents of a district desire to dispense with all or part of this school district, it is the duty of the State Superintendent to notify the State Board of Education of a majority vote of eligible electors at an annual or special election or by a petition signed by sixty (60) percent of eligible school district electors to dispense with either grades 1 thru 8 or grades 9 thru 12, or both, and such procedure shall be accomplished prior to June 30. Subsequently, parents of such children in the dispensed grades should file an application transfer for the ensuing year with the State Superintendent. Any district which dispenses with its entire school district for the ensuing year shall be mandatorily annexed on July 1 by the State Board of Education to an adjacent school district(s) to which pupils have been transferred.

(2) Provided that if a school district does not officially dispense with its school following the preceding procedure and fails to open and maintain a school during such ensuing year, the State Board of Education, except as otherwise provided, shall at its next regular meeting annex such district, as provided by law. [[70 O.S. § 8-106](#)]

(e) Severance determination. Pursuant to [70 O.S. §7-203\(B\)](#), the State Board of Education may promulgate rules regarding its authority to budget and make expenditures of monies contained in the School Consolidation Fund. School Consolidation Funds can be used by annexing or consolidating districts to provide employment assistance in the form of severance for school district employees who are dismissed due to annexation or consolidation under [70 O.S. §7-203\(B\)\(1\)\(c\)](#). The procedure for employees to make a severance application and process to receive a severance determination shall be communicated to all affected employees by the annexed or consolidated district superintendent. The severance application process is as follows:

2014-2015 Standards for Accreditation of Oklahoma Schools

(1) To qualify for severance, district employees (teachers, administrators, and support personnel) must first seek severance allowance from the annexing or consolidating district(s) prior to making application to the State Department of Education.

(A) Any annexing or consolidating school district(s) that receive School Consolidation Funds must accept and consider all requests for severance made by district employees who were dismissed due to annexation or consolidation, but not subsequently employed by the consolidating or annexing district(s).

(B) The annexing or consolidating district(s) may elect to award qualifying employees a severance in an amount up to and not to exceed eighty percent (80%) of the individual's salary or wages, exclusive of fringe benefits.

(C) Severance allowance from the annexing or consolidating district(s) is permissive in any amount from 0% to 80% of the individual's salary or wages, exclusive of fringe benefits, for the school year preceding the consolidation or annexation.

(D) For the purposes of calculation, the district(s) shall include only the salary or wages actually paid to the employee for the school year preceding the consolidation or annexation.

(E) Applications for severance shall be considered on an individual case by case basis.

(F) Each district shall promulgate their own rules and procedures for accepting, reviewing, and awarding severance. The criteria used for awarding severance must be measurable, objective, non-discriminatory, and uniformly applied.

(2) If the annexing or consolidating district makes an award of employment assistance in the form of severance, the district employee will not be eligible to make application to the State Department of Education for severance allowance unless the employee has also been denied unemployment compensation.

(3) Unemployment benefits received by any district employee dismissed due to annexation or consolidation may be counted as a form of employment benefit under [70 O.S. §7-203\(B\)\(1\)\(c\)](#). Unemployment compensation may be considered as part of the total employment assistance received and may be taken into account or offset when severance allowance determinations are made.

(4) If a district employee is not employed by the annexing or consolidating district(s) and is subsequently denied severance or unemployment compensation by the annexing or consolidating district(s), pursuant to [70 O.S. §7-203\(B\)\(1\)\(c\)](#), the district employee will be eligible to make an application for severance to the State Board of Education. Qualifying applicants shall receive a severance allowance from the State Board of Education pursuant to the following procedure:

(A) Severance allowance from the State Board of Education shall be in an amount up to and not to exceed eighty percent (80%) of the individual's salary or wages, exclusive of fringe benefits. An award of a severance allowance by the State Board of Education will be made only if:

- (i) the applicant was not employed by the consolidating or annexing district and
- (ii) severance or unemployment compensation was denied at the district level.

2014-2015 Standards for Accreditation of Oklahoma Schools

- (B) Severance allowance from the State Department of Education can be in any amount from 0% to 80% of the individual's salary or wages, exclusive of fringe benefits, for the school year preceding the consolidation or annexation.
- (C) For the purposes of calculation, the State Department of Education shall include only the salary or wages actually paid to the employee by the district for the school year preceding the consolidation or annexation.
- (D) Only timely applications for severance received by the State Department of Education, Finance Division, will be considered. All applications for severance to the State Department of Education must be received no later than September 1 of the fiscal year immediately following the fiscal year in which the annexation or consolidation occurred. The application for employment assistance in the form of severance can be found on the SDE website, www.sde.ok.gov, or by contacting the State Department of Education, Finance Division.
- (5) Severance allowance by the State Department of Education can be denied only for good cause with supporting documentation of the following:
- (A) The applicant was hired by the consolidating or annexing district(s), regardless of the number of hours, part time or full time status, or rate of pay.
 - (B) The applicant was dismissed or non-reemployed by the local school district board for reasons other than consolidation or annexation (i.e. reduction in force or inability to pay due to financial exigency),
 - (C) The applicant received severance from the consolidating or annexing district(s) and in addition to unemployment compensation,
- (6) Severance allowance by the State Department of Education can be reduced or adjusted below eighty (80%) percent of the applicant's salary or wages, excluding fringe benefits, for good cause with supporting documentation. Good cause to reduce or adjust severance can include, but is not limited to, consideration of the following:
- (A) The annexation or consolidation was mandatory rather than voluntary.
 - (B) The applicant's length of service to the district.
 - (C) The applicant's service record, job performance, or conduct warrants consideration of a reduction or adjustment in severance. The application of this criteria must be supported by verifiable documentation and evidence that is made available for the Board's review.
 - (D) The applicant was hired by the local school board after the annexation or consolidation election results are called by the State Superintendent of Public Instruction.
 - (E) The applicant was hired by the local school board after the State Board of Education voted to non-accredit the district.
 - (F) The applicant failed to apply for or make an attempt to gain employment with the consolidating or annexing district(s).
 - (G) The applicant failed to apply for or attempt to obtain a severance allowance from the consolidating or annexing district(s).
 - (H) The applicant received unemployment compensation. The amount of unemployment compensation received can be considered an offset when determining severance.

2014-2015 Standards for Accreditation of Oklahoma Schools

(7) Severance Determinations. Upon receiving the application for severance the State Department of Education, Finance Division staff shall review the applications for severance and make a written recommendation to the State Board of Education regarding each severance application. Each severance application will be considered on an individual case by case basis and a recommendation for severance allowance or denial will be made by the SDE staff to the State Board of Education in writing during a regularly scheduled Board of Education meeting.

(A) The applicant will be notified of the SDE staff recommendation and will be given written notice of the time, place, and date of the regularly scheduled State Board of Education meeting that the Board will consider and voting upon the SDE staff recommendation for severance.

(B) The State Board of Education will vote on all SDE staff recommendations for severance in open meeting. All votes of the State Board of Education approving or denying a severance application will be considered a final order of the Board.

(8) The applicant will be notified in writing of the State Board of Education's final determination regarding severance allowance. The applicant will have ten (10) days from the date the notification of severance determination is received within which time to file a petition for appeal or reconsideration of the Board's determination.

(9) Any petition, reconsideration, or hearing on the Board's final order regarding severance shall be made pursuant to, and governed by, the Due Process Procedures of the State Board of Education as outlined in 210:1-5-1 of the [Oklahoma Administrative Code](#).

(f) **Guidelines and forms.** Copies of corresponding State Department of Education forms and guidelines for the implementation of annexations/consolidation and severance are available from the consolidation officer of the State Department of Education.

(12)

OAC 210:1-3-3. District status change

(a) Formation of an independent district

Upon request from a school district with the required supportive data to change the status of a school district, the State Board of Education will review the reasons presented and approve or disapprove.

(1) If an elementary school district has justification to add one or more high school grades, it requires the formation of an independent school district. The formation of an independent school district requires State Board of Education approval.

(2) An elementary school district's request to the State Board of Education for approval to add high school grade(s) and form an independent district shall include, but not be limited to, the following items of justification:

(A) A written plan which includes a timetable for the addition of each of the four grades (9-12);

(B) A fiscal evaluation of the previous 3 years of operation which includes all audits, analysis of carryover, and an estimate of revenue and increased costs for operation for the next 5 years;

(C) An analysis of past, present and projected student enrollment (5 years past and 5 years future);

2014-2015 Standards for Accreditation of Oklahoma Schools

- (D) Pertinent data regarding student transfers both into and out of the school district for the present school year and the two preceding years;
 - (E) A history of bond elections within the school district for the past 5 years which includes vote totals, present bonding capacity and percent of bonding capacity voted and bond rating;
 - (F) Proof of adequacy of facilities and/or construction plans to house high school students;
 - (G) Proof of adequacy of library/media center;
 - (H) Documentation of support by the community; and
 - (I) A written plan to appoint the two additional board members and to organize a five member board of education and assign each member a board position number.
- (3) In the event the State Board of Education approves a change in status from an elementary school district to an independent school district, the board of education of the elementary school district shall appoint two additional school board members who meet eligibility requirements and designate the terms of service by assigning each board member a board position number, 1 through 5, to conform to the law [70 O.S. § 5-107A](#). The new 5-member board of education shall become effective at the first meeting of the new school board after the change of status is approved by the State Board of Education.
- (b) **Annexations**
Annexations and related procedures are governed by statute; see [70 O.S. § 7-101](#).
- (c) **Consolidations**
Consolidations and related procedures are governed by statute; see [70 O.S. § 7-105](#).

(01)

CAPITAL IMPROVEMENT

[OAC 210:30-3-1](#). Comprehensive Four Year Capital Improvement Master Plan

- (a) **Facility standards.** It shall be the purpose of this plan to implement the facility standards indicated by the Legislature, that facilities be designed for adaptability to program offerings, structurally safe, well maintained and contain adequate space for the instructional needs of each student. [[70 O.S. § 18-152](#)]
- (b) **Plan review.** Every school shall submit all plans and specifications for major remodeling or new construction for review by the State Department of Education. Applicable handicapped regulations and building and life safety codes, as well as SPACE GUIDELINES FOR PLANNING EDUCATIONAL FACILITIES, shall be the criteria for plan review. Comments and recommendations shall be forwarded to school administrators and appropriate personnel within thirty (30) days. All facilities shall comply with pertinent Attorney General opinions as well as federal, state and local laws, and obtain building permits as required by municipal, county or other authority. Where local authority does not require a building permit, appropriate review and approval shall be obtained from the office of the State Fire Marshal. [[70 O.S. § 3-104](#)]

2014-2015 Standards for Accreditation of Oklahoma Schools

(c) **Annual facility review.** Every school district shall establish an annual facility review of four components:

- (1) review of maintenance and operations program;
- (2) review of maintenance and operations staff training program;
- (3) review of maintenance and operations budget;
- (4) update of the facility inventory.

Guidelines and recommendations for an annual facility review shall be available from the State Department of Education. [[70 O.S. § 18-152](#)]

(d) **District Four-Year Capital Improvement Plan.** Each district shall submit to the State Board of Education a Four-Year Capital Improvement Plan for the public schools within the district. Each plan shall be adopted by the district board of education. The plan shall be based upon guidelines developed by the State Department of Education, and reviewed by the Common School Capital Improvement Needs Assessment Committee. Every school district shall review and update its plan annually. [[70 O.S. § 18-153](#)]

(e) **Adoption.** The State Department of Education shall develop and submit for adoption by the State Board of Education a Four-Year Capital Improvement Master Plan. The plan shall be reviewed by the Common School Capital Improvement Needs Assessment Committee. Additionally, guidelines and recommendations for funding priorities and distribution shall be available from the State Department of Education.

(f) **Schools Capital Improvements Budget.** A schools capital improvements budget shall be submitted by the State Board of Education by the first day of October of each year, with the itemized budget request and estimates of the ensuing fiscal year. [[70 O.S. § 18-162](#)]

COMPUTER ASSISTED PUPIL ACCOUNTING

OAC 210:10-1-6. Computer assisted pupil accounting

- (a) All schools planning to use a computerized pupil accounting system shall be required to use a system (software) approved by the State Board of Education.
- (b) Pupil accounting systems (software) approved by the State Board of Education shall adhere to all laws and State Board of Education regulations pertaining to attendance.
- (c) Daily attendance records and records of all transactions such as deletions, additions, and edit errors shall be retained until the annual audit has been completed.
- (d) Reports to be provided for the attendance audit shall be presented in an 8 1/2" x 11" State Department of Education-approved format and shall include:
 - (1) Entry, Gain and Loss Report, which includes membership, attendance and absences, quarterly, by semester and annually.
 - (2) Transportation Report for each type of pupil transported, including transferred transported and eligible out-of-home placement pupils, quarterly, by semester and annually.
 - (3) Master Roster, showing pupil name, grade, gender, race, address, source of entry, basis of admission and date of birth, at the end of the first quarter and annually.
 - (4) Report of overage and underage pupils for Early Childhood and Kindergarten; also, a report of underage First Grade pupils showing attendance, membership, and transportation quarterly and annually.

2014-2015 Standards for Accreditation of Oklahoma Schools

- (5) The Quarterly Attendance Registers shall be printed four times per year. The attendance register shall have student names in alphabetical order by grade. The registers will show daily attendance and membership by quarter and grade for each site.
- (6) Membership, Attendance and Transportation Reports shall be reported as an annual district summary by grade.
- (e) Each principal shall provide a signed affidavit verifying that the school site attendance register is complete and accurate.
- (F) *Any school district that is not in compliance with the standards and requirements established by the State Board of Education related to the state student record system as provided in [Section 3-160](#) of this title shall forfeit its State Aid for the time of noncompliance. [70 O.S. § 18-116]* **(10)**

EARLY CHILDHOOD EDUCATION PILOT PROGRAMS

OAC 210:15-11-3. Criteria for pilot early childhood program

- (a) *Qualifying children are those children aged birth to three years, who are identified as at-risk as determined by Federal Poverty Guidelines.*
- (b) *Qualifying programs must meet childcare licensing requirements as provided by the Oklahoma Department of Human Services for children aged birth to three years.*
- (c) *The adult-child ratio shall meet minimum childcare licensing requirements as provided by the Oklahoma Department of Human Services for children aged birth to three years.*
- (d) *The provider will ensure the operational schedule is a minimum of eight hours a day for 50 weeks a year. Children will be served 48 weeks, with two additional weeks for staff training.*
- (e) *Staffing requirements are:*
- (1) *The lead teacher must hold early childhood certification and a bachelor's degree.*
 - (2) *The assistant teacher must hold a minimum of an associate's degree (60 college credits) in child development or a related field.*
 - (3) *The classroom aide must hold a minimum of a high school diploma and a Child Development Associate (CDA) degree (120 clock hours).*
 - (4) *Each staff member must undergo a Federal Bureau of Investigation (FBI) background check.*
 - (5) *The provider shall employ a family support worker whose caseload shall be approximately 50 families.*
- (f) *All staff must participate in initial training and annual training in infant and toddler development, curriculum, and parent education.*
- (g) *The curriculum shall be aligned with Oklahoma's Early Learning Guidelines for Infants and Toddlers.*
- (h) *All programs must undergo an annual program evaluation. [70 O.S. § 10-105.4]*

(06)

EDUCATIONAL SERVICES IN DAY TREATMENT PROGRAMS

OAC 210:35-31-1. Purpose

- (a) In accordance with [70 O.S. § 3-104.7](#), the State Board of Education hereby establishes standards for onsite educational services provided in partial hospitalization programs, day treatment programs, and day hospital programs for persons between the ages of three (3) and twenty-one (21) years of age.
- (b) The standards in this Subchapter shall apply to onsite educational services provided by public school districts or state accredited private schools in partial hospitalization programs, day treatment programs, and day hospital programs as defined in the law for persons between the ages of three (3) and twenty-one (21) years of age in the state.

(99)

OAC 210:35-31-2. General requirements for day treatment facilities

- (a) For purposes of the standards in this Subchapter, the term “day treatment programs” shall be used as a general reference for the programs defined in the law. Partial hospitalization programs, day treatment programs and day hospital programs mean nonresidential settings/facilities in which school-age children are placed for psychiatric or psychological treatment which precludes their attendance at a regular public school. No facility as defined in the standards in this Subchapter shall be licensed pursuant to provisions of state law unless the facility meets the standards for educational services established by the State Board of Education. In order for the facility to meet the standards in this Subchapter, a contract must be in effect with an accredited school.
- (b) As required by [10 O.S. § 603.4](#), the day treatment outpatient facilities shall be monitored at least once annually by the Oklahoma Health Care Authority (OHCA), to ensure compliance of outpatient hospital day treatment, ambulatory behavioral health services with the standards in the MEDICAL PROVIDERS-HOSPITAL SPECIFIC MANUAL, to be promulgated as [OAC 317:30-5-42](#) under OHCA. Any program found to be out of compliance with the OHCA standards shall be subject to cancellation of its contract with the OHCA according to rules governing contract cancellations.

(99)

OAC 210:35-31-3. Local plan

- (a) The public school or state accredited private school providing onsite educational services in partial hospitalization programs, day treatment programs, and day hospital programs for children between the ages of three (3) and twenty-one (21) shall develop a local plan for educational services in day treatment programs. The local plan shall address all required areas of educational services including:
- (1) Teacher certification;
 - (2) Number of hours taught;
 - (3) Adequacy of educational facilities; and
 - (4) Educational plans, including plans for transition into the regular school setting.
- (b) The local plan for onsite educational services shall provide as follows:
- (1) Educational services are provided directly by the school and under the supervision of the accredited school;
 - (2) Class size and student/teacher ratios shall be in compliance with state accreditation standards and allow for conditions which are conducive to effective

- learning;
- (3) Appropriate curriculum, structure, interaction, and reinforcement strategies are to be provided in accordance with state accreditation standards and allow for individualization;
 - (4) Reflect collaborative efforts between school personnel, facility staff, other public agencies, and the parents/guardians; and
 - (5) Teaching staff shall be provided adequate time for instructional planning, preparation, and consultation with facility staff and parents/guardians.
- (c) Contractual agreements, as required by the standards in this Subchapter, shall be jointly developed by the school and the day treatment program and shall be signed by representatives with the authority to represent the governing boards. Services shall be provided pursuant to contract and in accordance with applicable standards and laws. Contractual agreements shall address financial responsibilities and services to be provided by each party to the agreement in accordance with the standards in this Subchapter. The contractual agreement for educational services shall include the following as a minimum:
- (1) Teacher certification requirements;
 - (2) Number of hours taught;
 - (3) Adequacy of facilities; and
 - (4) Educational plans, including plans for transition into regular school settings.
- (d) Local plans and contractual agreements shall provide assurances that:
- (1) Procedures for maintenance and disclosure of students' education records, including a procedure for expeditious exchange with properly authorized persons, shall be in accordance with the Family Education Rights and Privacy Act;
 - (2) Procedural safeguards shall be followed for eligible children with disabilities in accordance with the [Individuals with Disabilities Education Act](#) (IDEA), which includes the requirements for Individualized Education Programs (IEPs) and placement in the least restrictive environment (LRE), and with [Section 504 of the Rehabilitation Act](#). The eligible student's school district of residence shall be notified immediately by the providing district upon finding that the eligible student requires special education and related services and notified as to the time, date and location of meetings for the purposes of planning the student's IEP and subsequent reviews. The facility may have a representative present at the IEP conference to advise the IEP team of any concerns or information the facility has to offer regarding the eligible student's educational needs and eligibility for related services. The facility and the providing district shall coordinate with the eligible student's school district of residence as necessary for the development of the IEP. The cost for related services, therapies, treatments, or support services for eligible students shall be the responsibility of the facility unless other-wise agreed by the contractual parties or as otherwise specified in the IEP. Otherwise valid obligations to provide or pay for such services, such as Medicaid, shall remain in effect for children who are eligible from sources other than the school district.
- (e) District of residence for school purposes shall be determined in accordance with [70 O.S. § 1-113](#), state aid for educational services by accredited schools shall be in accordance with the provisions of [70 O.S. § 18-110](#).
- (f) *Each individual or entity operating a residential facility or treatment program which requires provision of educational services from the school district, shall notify the local board of education of its anticipated educational needs, prior to location in a school district. No school district shall be required to provide educational services for residents of the facility or*

participants in the program until at least sixty (60) calendar days have elapsed from the time in which the local board of education was initially notified of the need unless the school districts do agree to provide the educational services sooner. [[70 O.S. § 1-113](#)] (99)

OAC 210:35-31-4. Teacher certification

- (a) Teachers shall be appropriately certified by the Oklahoma State Department of Education. For teacher certification purposes, a certified teacher who is qualified to teach in an accredited school district's educational services in day treatment programs, may teach subjects in which the teacher does not hold certification. This shall only be valid upon application of a school district board of education to, and approved by, the State Department of Education and only for purposes of teaching in the on-site educational services provided in the accredited school district's educational services in the day treatment program. [[70 O.S. § 1210.567](#)]
- (b) The Application for Accreditation shall serve as the district's application for these purposes. Original copies of the application and teacher certificates shall be on file at the school district administration office and copies maintained at the building site level. (99)

OAC 210:35-31-5. Number of hours taught

- (a) As outlined by the Association for Ambulatory Behavioral Healthcare (AABH) in the STANDARDS AND GUIDELINES FOR PARTIAL HOSPITALIZATION: CHILD AND ADOLESCENT, 2ND EDITION, the number of hours taught shall be at least three (3) hours daily on regularly scheduled school days and shall be documented in the educational component of the treatment plan. Exception to the minimum hours of instruction shall be for verifiable cause in the interest of the child and documented by recommendations of the attending licensed psychologist, physician, and/or psychiatrist, and supported by recommendations of the treatment team with representation from the educational staff of the school. It shall be the responsibility of the day treatment partial hospitalization program to provide for the development and implementation of an individualized treatment plan in accordance with State standards and professional guidelines.
- (b) Instruction in an appropriate educational program shall be based on individual needs and should address reintegration into a full school day of six (6) hours. The instructional program for eligible children with disabilities shall be in accordance with the provisions of the IEP, as required by federal regulations and state standards.
- (c) Upon application of a school district, the State Department of Education shall authorize an abbreviated day schedule for the education provided for students in a day treatment facility located within the district. *A student receiving services in a day treatment facility within the district who attends for a full abbreviated day shall be counted in attendance for purposes of computing average daily membership for the district.* [[70 O.S. § 1210.567](#)]
- (d) The Application for Accreditation shall serve as the district's application for these purposes. Original copies of the application shall be on file at the school district administration office and copies maintained at the building site level. (99)

OAC 210:35-31-6. Adequacy of facilities

- (a) The facilities provided for the educational services and classrooms shall meet the accreditation standards of the State Board of Education and other existing standards which apply to partial hospitalization programs, day treatment programs, and day hospital programs for children.
- (b) Relevant safety and health standards shall be followed. (95)

OAC 210:35-31-7. Educational plans

- (a) As outlined by the Association for Ambulatory Behavioral Healthcare (AABH) in the STANDARDS AND GUIDELINES FOR PARTIAL HOSPITALIZATION: CHILD AND ADOLESCENT, 2ND EDITION and standards in the MEDICAL PROVIDERS-HOSPITAL SPECIFIC MANUAL, the day treatment program is responsible for formulating an individualized treatment plan which is to be reviewed on a routine basis and revised as needed. The treatment plan must include specific service strategies to deal with the manifest problems; it must have detailed plans to fully integrate the child in the home and community; and it must demonstrate collaboration with the educational system to reintegrate the child into the home school. These efforts should include communication and coordination with the various programs, agencies, parents/ guardians and school districts.
- (b) The educational plan shall be under the direction of the educational staff of the school and the treatment team. A procedure should be in place whereby the teacher(s) and/or other designated representatives of the school are provided the opportunity to communicate recommendations, participate in the planning and decisions for coordination between the educational plan and the treatment plan. The school shall have authority and responsibility for the educational plan.
- (c) The educational plan shall describe the appropriate curriculum, instructional time, and educational setting based on the individual needs of the child.
- (d) The educational plan shall be in effect no later than ten (10) days from enrollment.
- (e) The educational plan for eligible children with disabilities shall be in accordance with the IEP, as required by Federal regulations and State standards.
- (f) Students who are enrolled in the on-site educational services of the local school district shall have the same opportunities to receive schoolwide progress reports or grade cards and transcripts as other enrolled students in the district. Similarly, enrolled students shall have the same opportunities for admission, promotion, retention, graduation, proficiency based promotion, and high school equivalency certificates. **(99)**

EDUCATIONAL SERVICES IN RESIDENTIAL TREATMENT PROGRAMS

OAC 210:10-1-13. Educational services for children in residential care, treatment, or emergency shelter facilities

- (a) **Purpose**
These policies are for the purpose of establishing standards for the educational services for children placed in facilities which exist for the purpose of providing residential care, treatment (24-hour residential) or emergency shelter care.
- (b) **Facilities licensing/approval**
The facilities should be licensed or approved by the appropriate oversight state agency (i.e., Department of Human Services, Office of Juvenile Affairs, Department of Health, and Department of Mental Health and Substance Abuse Services). Such residential care or treatment facilities as juvenile detention centers, group homes, and emergency youth shelters will be included for these programs.
- (c) **Residency**
 - (1) Children placed in facilities such as an orphanage, eleemosynary (charitable) child care facility, in which a child is placed by the parent or guardian for full time residential care and attend a district school by joint agreement of the district or

facility and are not placed in a facility through a state contract, are residents for school purposes of the school district where the facility is located. [[70 O.S. § 1-113](#)]

- (2) Children placed in facilities which are state operated institutions or who are temporarily in state-licensed or operated emergency shelters are residents for school purposes of the school district where the facility is located. [[70 O.S. § 1-113](#)]
- (3) Children placed in a foster home, as defined at [10 O.S. § 402](#), except a therapeutic foster home or a specialized foster home voluntary placement, by the person or agency having legal custody pursuant to court order or by a state agency having legal custody are residents for school purposes of the school district where the foster home is located. [[70 O.S. § 1-113](#)]
- (4) For youth who are placed in juvenile detention facilities, the district of residence for school purposes shall be the school district in which the parents, guardians, or person having legal custody holds legal residence. [[70 O.S. § 1-113](#)]
- (5) When a child does not meet the criteria for residency provided in [70 O.S. § 1-113](#), subsection A, and is placed in a residential care facility or treatment program or center, including J.D. McCarty Center [[63 O.S. 485.1](#)], which is out of the child's home and not in the school district in which the child legally resides, the facility or program shall, if the child contends he or she resides in a district other than the district where the facility or program is located, within seven (7) days of admittance, notify the district in which the out-of-home placement or treatment is located of the admittance.

(d) Contractual agreement for educational services

A contractual agreement for the provision of educational services will be developed and signed by the chief executive officer of each agency or organization, or by the chairman of the governing board or board of directors of each licensed public or private agency, operating or supervision of residential care, treatment, or emergency shelter facilities.

- (1) Each individual or entity operating a residential facility or treatment program which requires provision of educational services from the school district, shall notify the local board of education of its anticipated educational needs, prior to location in a school district. No school district shall be required to provide educational services for residents of the facility or participants in the program until at least sixty (60) calendar days have elapsed from the time in which the local board of education was initially notified of the need unless the school district so agrees to provide the educational services sooner. [[70 O.S. § 1-113](#)]
- (2) Any state agency, letting grants or contracts for residential care or treatment facilities for children shall require as a condition of grants or contracts, documented assurance of appropriate provision of educational services. [[10 O.S. § 2-7-305\(C\)](#)]
- (3) The contractual agreement for educational services shall include the following as a minimum:
 - (A) Teacher certification requirements: Teachers shall be appropriately certified by the Oklahoma State Department of Education. For teacher certification purposes, a certified teacher who is qualified to teach in an accredited school district's educational services for a residential care or treatment facility may teach subjects in which the teacher does not hold certification. This shall only be valid upon application of a school district, offering on-site educational services in a residential or treatment facility, and approved by the State Department of Education, only for those purposes. [[70 O.S. § 1210.567](#)] The application for Accreditation or amended application shall serve as the district's application for these purposes. Original copies of the application and teacher certificates shall be

on file at the school district administration office and copies maintained at the building site level.

- (B) Number of hours taught: The State Department of Education shall authorize, upon application by a school district, an abbreviated day schedule for the education provided for students in a residential care or treatment facility located within the district. [[70 O.S. § 1210.567](#)] The Application for Accreditation or amended application shall serve as the district's application for these purposes. Education services available shall be provided to children/youth no later than the tenth school day of admittance. Exception will be for cause in the interest of the child and documentation by recommendations of the attending licensed psychologists, psychiatrists, or physicians on the residential care or treatment staff.
- (C) Adequacy of facilities: The residential care, treatment, or emergency shelter facilities shall provide and maintain areas appropriate for the school district to conduct the educational program pursuant to contractual agreement and shall be responsible for all services and costs associated with such services which are not directly related to education. Relevant safety and health standards shall be followed. Such facilities shall meet the accreditation standards of the State Board of Education for educational services and shall meet other existing standards which apply to facilities of residential care, treatment, or emergency shelter programs.
- (D) Educational plans, including plans for transition in to regular school setting: Education plans for students shall describe the appropriate curriculum, instructional time, and setting for each child. The child should receive instruction in an appropriate setting based on the individual educational needs of the child and should progress toward a full school day (six hours) program.
- (4) The State Department of Education shall provide a sample contract with standard or uniform provisions for use by school districts which provide education to students in such facilities or programs. Provision in the contract shall be designed to ensure an appropriate education to which a student is entitled in the most cost-efficient manner to the responsible school district and shall allow for local flexibility in funding and education arrangements. The cost for related services, therapies, treatments, or support services for eligible students shall be the responsibility of the facility unless otherwise agreed by the contractual parties or as otherwise specified in the IEP. Otherwise valid obligations to provide or pay for such services, such as Medicaid, shall remain in effect for children who are eligible from sources other than the school district. [[70 O.S. § 1-113](#)]
- (e) **Educational plans for residential care, treatment facilities, or emergency shelter facilities**
 - (1) Each child/youth shall have his/her educational needs reviewed within five school days by a team of professionals to determine the educational needs of the student and to develop an educational plan which is consistent with state and federal laws and regulations. The education plan shall work toward integration of the student into the receiving school district.
 - (2) The professional team for the educational plan shall include a teacher or an appropriately qualified educator representative and be under the direction of personnel of the school district. A procedure must exist to permit team members to communicate their recommendations and other relevant information to the facility staff on a regular basis.

- (3) The educational plan shall be periodically reviewed and adjustments by the professional team made to ensure that the child is receiving appropriate educational opportunities at all times.
- (4) The educational plan shall describe the appropriate curriculum, instructional time, and setting for the child/youth. The child should receive instruction in an appropriate educational setting based on individual educational needs and should progress toward a full school day (six hours) program. The student's current grade level and/or ability should be considered.
- (5) The educational plan shall be implemented within ten days of enrollment.
- (6) The educational plans and educational services shall be provided under the supervision of a school district administrator.
- (7) The educational plan and individual student records for the educational services shall be maintained by the school district with proper protections for disclosure, including a procedure for expeditious exchange of education records to properly authorized persons, in accordance with the Family Education Rights and Privacy Act, and other relevant state and federal laws.
- (8) The educational plan shall be implemented in accordance with any procedural safeguards for eligible children with disabilities who require Individualized Education Programs (IEPs) under the Individuals with Disabilities Education Act (IDEA). The eligible student's school district of residence shall be notified immediately by the providing district upon finding that the eligible student requires special education and related services and notified as to the time, date and location of meetings for the purpose of planning the student's IEP and subsequent reviews. The facility may have a representative present at the IEP conference to advise the IEP team of any concerns or information the facility has to offer regarding the eligible student's educational needs and eligibility for related services. The facility and the providing district shall coordinate with the eligible student's school district of residence as necessary for the development of the IEP. [[70 O.S. § 1-113](#)]
- (9) Teachers shall be assigned for provision of educational services in accordance with the appropriate class size and teacher/student ratio.
- (10) The facility shall provide assistance in severe, disruptive situations and will provide supervision of out-of-classroom suspension, time-out, and detention during school and, when requested by the assigned education personnel, will intervene in matters of discipline, unless otherwise agreed to in the contract.

(f) State licensed or operated emergency shelters

The local school district is not required to enter into a contract with a residential care, treatment, or emergency shelter unless it is state licensed or state operated.

(g) Education to Students in Jail

- (1) Each school district in the state with a city, county, or state jail within the district's boundaries shall designate an employee or employees of the school district who will be responsible for overseeing the educational services to eligible juveniles identified by the facility. While incarcerated in a jail, the student shall be considered a resident of the school district where the jail is located.
- (2) Once an employee is designated by the school district that person shall immediately contact the individual in charge of the operation of the jail or jails within the boundaries of the school district and provide them with information regarding the requirements of this rule.
- (3) When a school district receives notification of the need for educational services from a facility incarcerating a juvenile, the school district shall provide the juvenile with an

appropriate education plan designed for the possible reintegration of the student into school, which must include the core subjects. The education plan contemplated by this rule corresponds to the education plan referenced in the Oklahoma School Laws at [70 O.S. § 24-101.3\(D\)](#) for students suspended from school. A copy of the education plan developed by the school district shall be provided to the facility and to the juvenile and a copy shall be kept on file by the school district. For purposes of this rule the core units shall consist of English, Math, Science, Social Studies, and Art units required by the State Board of Education.

- (4) The education plan shall set out the procedure the school district and the facility will utilize for the provision of educational services to the juvenile and will address academic credit for work satisfactorily completed. These procedures and requirements apply to facilities which do not have in place, on the effective date of this rule, a plan for educational services of incarcerated juveniles.
- (5) The provisions of residency law at [70 O.S. § 1-113](#) addressing responsibility for educational services to juveniles in facilities located within the boundaries of the school district prevail over the requirements set forth in this rule.

(h) Accreditation standards monitoring

The educational program of each school district providing educational services for students placed in a facility located in the school district shall be monitored by the State Department of Education. The department shall determine if the educational program is in compliance with State Board of Education regulations. The recommended accreditation status shall be reported to the State Board of Education. **(06)**

FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT

OAC 210:1-3-8. Family Educational Rights and Privacy Act

- (a) The State Board of Education requires that all Oklahoma public school districts receiving federal funds comply with the requirements of the [Family Educational Rights and Privacy Act](#) (Section 438 of the General Education Provisions Act, P.L. 90-247 and P.L. 93-380 as amended) and regulations adopted, thereto, by the U.S. Department of Education. These provisions protect the rights of privacy of students and their families in connection with educational records.
- (b) Compliance requires policies and procedures to be adopted by districts that will regulate access to and release of student records. Requirements include:
 - (1) Notification to parents and the public of the kinds of data collected and that which is to be released as directory information.
 - (2) Directory information may include the student's name, address, telephone number, date and place of birth, major field of study, class, participation in officially recognized activities and sports, weight and height of members of athletic teams, dates of attendance, degrees and awards received, and the most recent previous educational agency or institution attended;
 - (3) Public notification of the procedures for gaining access to a student's record by a parent or guardian, and
 - (4) Notice of prohibition of access or release of personally identifiable information (other than directory information) without written consent of the parent or eligible student (student becomes eligible to control own record access at age eighteen (18) or enrollment in post-secondary institution) to any except legally specified parties. Excepted parties are:

- (A) local school officials;
 - (B) other schools where student may transfer;
 - (C) specified U.S. and state officials when authorized by law;
 - (D) financial aid officials to determine aid or legality;
 - (E) local and state officials under previous mandate for data;
 - (F) organizations doing studies on testing, student aid, and instruction improvement if personal identification is not further released;
 - (G) accreditation organizations for limited accreditation purposes;
 - (H) judge's order;
 - (I) parents of tax dependent student (in case of divorce, separation); and
 - (J) emergency personnel who need information to protect the health and safety of the student or other persons.
- (5) Parents shall also be informed as to how they may request a hearing to halt the release of, challenge, or expunge any personally identifiable or directory information being collected by the school. Parental and student rights shall be explained and procedures defined in privacy policies of the district.
- (c) Furthermore, parents and students should be notified if the requests are honored on transfers or subpoenas. (01)

STUDENT DATA ACCESSIBILITY, TRANSPARENCY, AND ACCOUNTABILITY ACT

OAC 210:1-3-8.1 Student Data Accessibility, Transparency and Accountability Act

(a) Definitions. The following words and terms, when used in this Section, shall have the following meaning:

(1) "Personally Identifiable Information" shall have the meaning set forth in [34 C.F.R. § 99.3](#);

(2) "School official" shall mean the officials within an educational agency or institution, including, but not limited to teachers, who are determined by the agency or institution to have legitimate educational interests in Personally Identifiable Information pursuant to the provisions of [34 C.F.R. § 99.31\(a\)\(1\)](#);

(3) "Student data" shall have the meaning set forth in [70 O.S. § 3-168\(A\)\(7\)](#).

(b) Annual inventory of student data collection. The State Board of Education shall create and/or update and publish a data inventory and dictionary or an index of individual student data elements with definitions of individual student data fields currently collected by the State Department of Education in its student data system.

(1) The inventory or index required to be created and published by this subsection shall include:

(A) Any student data required to be reported by state and federal education mandates;

(B) Any student data, if any, which have been proposed for inclusion in the student data system with a statement regarding the purpose or reason for the proposed collection; and

(C) Any student data, if any, that the State Department of Education collects or maintains with no current purpose or reason.

(2) The inventory or index required to be created and published by this subsection shall identify which student data elements were collected by the State Department of

Education on or before July 1, 2013. All data elements identified as a student data element collected by the State Department of Education on or before July 1, 2013 shall be considered an "existing collection of student data" exempt from the provisions of (c) of this Section pertaining to collection of "new student data."

(c) Collection of new student data - limits. New collections of student data shall be subject to the following procedures:

(1) For purposes of this subsection, a "new collection of student data" shall mean any new data object (i.e., category of student data) added to the student information system.

(2) Any new collection of student data proposed for addition to the State Department of Education student data system shall be identified and submitted to the State Board of Education for approval no later than December 1 of the year prior to the school year for which the new data collection is proposed to be added.

(3) Any new collection of student data proposed for addition to the State Department of Education student data system shall be submitted to the Governor and the Legislature within one year from the date of approval by the State Board of Education, in accordance with the provisions of 70 O.S. § 3-168(C)(7). Until approved by the Governor and the Legislature, any proposed new data collection shall be considered provisional, provided that any proposed new data collection not approved by the Governor and the Legislature by the end of the next legislative session shall be deemed to expire and shall no longer be required by the State Department of Education.

(d) Disclosure or transfer of student data - limits. All requests for disclosure and/or transfer of student data collected and maintained by the State Department of Education, including, but not limited to Open Records Act requests and research requests, are subject to the following procedures:

(1) Confidentiality of student data. All data which falls within the definition of "student data" set forth in 70 O.S. § 3-168(A)(7) is hereby deemed confidential pursuant to 70 O.S. § 3-168(C). Accordingly, "student data" are not subject to disclosure by the State Department of Education unless:

(A) The student data are aggregated and any Personally Identifiable Information has been removed in accordance with the procedures set forth in (3) of this subsection;

(B) The student data are otherwise approved for release, sharing, and/or disclosure by the State Board of Education in accordance with the procedures set forth in (4) of this subsection; or

(C) The student data does not have prior approval of the State Board of Education for release, sharing, and/or disclosure, but the release of requested data to the requester does not violate provisions of the *Family Education Rights and Privacy Act (FERPA)* at 20 U.S.C. § 1232g et seq. or accompanying regulations at 34 C.F.R. Part 99, and the release is limited to one of the following purposes:

(i) Facilitating a student transfer out of state, or assisting a school or school district with locating an out-of-state transfer;

(ii) Facilitating a student's application to an out-of-state institution of higher education or professional training program;

(iii) Registration for a national or multistate assessment taken by a student;

(iv) Facilitating a student's voluntary participation in a program for which transfer of that student's data are a condition and/or requirement of the student's participation;

(v) The Department enters into a contract that governs databases, assessments, special education, or instruction supports with an out-of-state vendor;

(vi) Compliance with federal reporting requirements for students classified as "migrants."

(2) Authorized access to confidential student data. Access to confidential student data in the State Department of Education student information system shall be restricted to:

(A) Employees of the State Department of Education who have been authorized by the Superintendent of Public Instruction to access confidential student data;

(B) Contractors of the State Department of Education who require such access to perform their assigned duties, including staff and contractors from the Information Services Division of the Office of Management and Enterprise Services (OMES) who have been assigned to the State Department of Education, provided that all such individuals shall comply with the terms set forth in the contract governing use and handling of student data;

(C) District administrators, teachers, personnel or other "school officials" under direct control of a school in which the student has been enrolled or in which the student has applied for transfer or enrollment and who require access to confidential student data in order to perform their assigned duties;

(D) A student and/or parents or legal guardians of the student with rights to inspect a student's own records in accordance with rights afforded by state or federal law;

(E) The authorized staff of any other State of Oklahoma agencies as authorized by law and in accordance with the terms of interagency data sharing agreements; and

(F) The authorized staff of any other entity as necessary to fulfill the purposes set forth in [70 O.S. § 3-168\(C\)\(3\)](#) or as otherwise approved by the State Board of Education to access or share student data in accordance with terms of interagency data-sharing agreements.

(3) Requests for release of student data. All requests for release, disclosure, or transfer of confidential student data shall be reviewed in accordance with the following procedures:

(A) **Step one.** Prior to disclosure and/or transfer of information collected and maintained by the State Department of Education, any student data identified for potential disclosure and/or transfer in response to a request shall be screened for all information that meets the definition of "Personally Identifiable Information".

(i) For purposes of this subparagraph, student data shall be deemed to result in the identification of a specific student if the n-size of the dataset is fewer than ten (10) records, provided that the provisions of this paragraph shall not be interpreted to require disclosure of records of a higher n-size if the release would result in disclosure of potentially identifiable information of one or more students.

(ii) Removal, redaction, and/or suppression of Personally Identifiable Information in a dataset necessary to bring a dataset proposed for release into compliance with the requirements of (3)(D)(iii)(II) of this subsection may require suppression of additional subsets of records to ensure that the privacy of students in the fewer than 10 subgroup.

(D) **Step two.** In accordance with the provisions of [70 O.S. § 3-168\(C\)\(2\)\(c\)](#), all requests for release, disclosure, and/or transfer, of confidential student data shall be denied unless the data or dataset requested for release meets one of the following conditions:

(i) The request is from an individual or entity specifically authorized to access confidential student data pursuant to [70 O.S. § 3-168\(C\)\(2\)\(a\)](#) or [\(d\)\(2\)](#) of this Section;

(ii) The requested data or dataset has been approved for release to the requester by the State Board of Education in accordance with the policies and procedures set forth in [\(4\)](#) of this subsection; or

(iii) The requested data or dataset meets all of the following criteria:

(I) The requested data meets the definition of “aggregate data” set forth in [70 O.S. § 3-168\(A\)\(4\)](#); and

(II) All data that falls within the definition of “Personally Identifiable Information” set forth in [34 C.F.R. 99.3](#) has been removed, suppressed, and/or redacted as necessary to ensure no Personally Identifiable Information is included in the student data requested for release;

(4) Policies and procedures governing approval of release, sharing and/or disclosure of confidential student data by the State Board of Education. The State Department of Education shall develop a detailed data security plan that complies with the provisions of [70 O.S. §3-168\(C\)\(4\)](#) and includes internal policies and procedures governing agency responses to requests for release and/or sharing of confidential student data to persons not authorized to access confidential student data in accordance with [\(2\)](#) of this subsection. Such internal policies and procedures shall meet all of the following requirements:

(A) The policies and procedures shall prohibit release of all data or datasets containing Personally Identifiable Information of one or more students unless all of the following conditions are met:

(i) The release complies with the provisions of the [Family Education Rights and Privacy Act \(FERPA\)](#) at [20 U.S.C. § 1232g et seq.](#) and accompanying regulations at [34 C.F.R. Part 99](#); and

(ii) Approval for the release has been obtained from the State Board of Education.

(B) The policies and procedures shall set forth the requirements of all written agreements necessary to comply with the requirements of [34 C.F.R. § 99.31](#).

(14)

OPEN RECORDS ACT

OAC 210:1-3-11. Open Records Act

In recognition of the general public's right to be informed about its government and in accordance with the Oklahoma Open Records Act at [51 O.S. § 24A.1 et seq.](#), the State Board of Education and the State Department of Education adopt the following policy and procedures governing requests for information.

(1) Any document which comes within the statutory definition of a "record" and is not required to be kept confidential by State or Federal law and does not fall within the

exemptions recognized in the Open Records Act will be available for inspection and copying between the hours of 8:00 a.m. and 4:30 p.m. Monday through Friday, except state holidays, at the location where the records are housed which is generally the Oliver Hodge Education Building, 2500 North Lincoln Boulevard, Oklahoma City.

(2) Any individual or group seeking access to public records maintained by the Oklahoma State Department of Education shall make a written request, either by mail or in person. Mail requests may be sent to the Oklahoma State Department of Education, 2500 North Lincoln Boulevard, Oklahoma City, 73105. Request for records made in person may be made at the same address.

(3) The State Superintendent of Public Instruction is authorized to periodically review and adjust the rates that will be charged for providing copies of records in accordance with the law. Those rates will include costs for record copies, document searches and transcript rates. The rates will be posted at the Oliver Hodge building and filed with the county clerk as required by law

(a) Official records. All files, records, minutes, proceedings, rules, documents, decisions, opinions, written statements of policy, and written materials of any other nature required by law to be maintained by the State Board of Education or the State Department of Education and not otherwise exempt from public disclosure pursuant to the provisions of state and/or federal law shall be made available promptly for public inspection, copying, or mechanical reproduction upon reasonable notice during regular business hours in accordance with the provisions of the Open Records Act at [51 O.S. § 24A.1](#) et seq. and the procedures set forth below.

(b) Records subject to disclosure. Any document that comes within the statutory definition of a "record" and is not required to be kept confidential by State or federal law, or otherwise exempt from disclosure pursuant to the Open Records Act will be available for inspection and copying between the hours of 8:00 a.m. and 4:30 p.m. Monday through Friday, except state holidays, at the location where the records are housed, which is generally the Oliver Hodge Education Building, 2500 North Lincoln Boulevard, Oklahoma City.

(c) Procedure for records requests. Any individual or group seeking access to public records maintained by the State Board of Education or the State Department of Education shall submit a request to the State Department of Education Office of Legal Services, by fax, email, regular mail or in person. In order to provide prompt, reasonable access to records, to ensure that records requests are accurately communicated to the records custodian, and to enable the records custodian to accurately process the request, it is recommended that records requests be submitted in writing. In addition, all records requests must comply with the following provisions:

(1) All records requests must include:

(A) Identification of the individual and/or entity making the request;

(B) If the Requester is an entity rather than an individual, a name of a contact authorized to communicate with the records custodian on behalf of the Requester;

(C) Sufficient contact information at which the Requester may be contacted by the records custodian to comply with the records request procedures set forth in this Section;

(D) A description of the records requested with sufficient detail necessary to enable the records custodian to reasonably identify whether records responsive to the request exist;

(E) Whether the Requester seeks copies of any or all of the records requested and if so, whether the Requester seeks certified copies of any or all of the records requested; and

(F) If the Requester claims the public interest exemption from search fees in accordance with the provisions of (d) of this Section, all information necessary for the records custodian to determine the applicability of the exemption.

(2) An Open Records Act request form is provided on the OSDE website. The form may be submitted by email, fax, or regular mail via the addresses stated on the form. The form may also be obtained by writing to the Oklahoma State Department of Education Office of Legal Services, Oliver Hodge Education Building, 2500 N. Lincoln Blvd., Room 117, Oklahoma City, OK 73105.

(3) Requests submitted will not be deemed to have been received unless and until the request has been identified as a request properly filed in accordance with the provisions of the Oklahoma Open Records Act at [51 O.S. § 24A.1](#) et seq. and the procedures set forth in this Section.

(4) Within a prompt and reasonable time of the date of receipt of the request, the records custodian shall review the request, seek any additional information from the Requester necessary to clarify the request, and shall ascertain whether any records responsive to the request exist.

(5) In addition, the records custodian shall promptly notify the Requester of the following:

(A) Whether the request complies with the provisions of this Section and the provisions of the Open Records Act;

(B) Whether records responsive to the request exist, and if so, the records custodian shall instruct the Requester to confirm the record custodian's interpretation of the request;

(C) If records responsive to the request exist and require an additional search of data necessary to identify and/or locate individual records of persons, whether the search will incur any fees and costs pursuant to (d) of this Section and if so, an estimate of search fees;

(D) If the Requester asks to be provided copies of the requested records in lieu of inspection, an estimate of the costs of copying the records requested as necessary to deliver the responsive records to the Requester;

(E) That processing of the request will not begin until any applicable records search fees and costs of copying have been received by the agency; and

(F) In the event the actual costs of copying and/or certification of records exceed the estimate provided and the amount of payment actually received from the Requester, that payment of any balance due from the Requester may be required prior to delivery of the requested records.

(6) All records requests will be deemed to have been received and processing of the request will begin when one of the following conditions is met:

(A) If payment of search fees or copying costs is required, upon receipt of:

(i) The fees and costs due; and

(ii) Receipt of any additional information necessary from the Requester to clarify and/or process the request; or

(B) If payment of search fees or copying costs is not required, upon receipt by the records custodian of:

(i) The Requester's confirmation of the request required by (7) of this subsection; and

(ii) Receipt of any additional information necessary from the Requester to clarify and/or process the request.

(7) Any request not confirmed by receipt of the requisite search fee within thirty (30) calendar days of the written notification set forth in (5) of this subsection shall be deemed to be abandoned, unless, within the time stated, the Requester can show cause why the confirmation should be delayed or postponed.

(8) If the Requester fails to furnish additional information reasonably necessary to identify the records sought or otherwise enable agency personnel to accurately process the request, any further processing of the request may be suspended by the records custodian. A request that remains suspended for a period of forty-five (45) calendar days or more shall be deemed abandoned.

(d) Fees for record searches and copies of records. Fees and costs associated with record searches and providing copies of records shall be determined in accordance with the following procedures:

(1) Fees to recover reasonable and direct costs of record searches. Requests that are either solely for commercial purposes or requests that cause an excessive disruption of the essential functions of the agency are subject to fees for recovery of the reasonable, direct costs of record searches in accordance with the provisions of [51 O.S. § 24A.5\(3\)](#), provided that no search fee will be charged when the release of records is in the public interest, including, but not limited to, release to the news media, scholars, authors and taxpayers seeking to determine whether those entrusted with the affairs of the government are honestly, faithfully, and competently performing their duties as public servants.

(2) Fees to recover reasonable and direct costs of record copies. Requests that are either solely for commercial purposes or requests that cause an excessive disruption of the essential functions of the agency are subject to fees for recovery of the reasonable, direct costs of copying records in accordance with the provisions of [51 O.S. § 24A.5\(3\)](#).

(A) For purposes of this paragraph, "copying" of a record may include costs of:

(i) Mechanical reproduction of a paper record ("hard copy"); or

(ii) Conversion of a record into an electronic format (e.g., .pdf) as necessary for delivery to the requester.

(B) In no instance shall the fee per page fee for copies of documents exceed the amount set forth in [51 O.S. § 24A.5\(3\)](#).

(C) The State Superintendent of Public Instruction is authorized to periodically review and adjust the rates that will be charged for providing copies of records in accordance with state law. Those rates will include costs for record copies, document searches and transcript rates. The rates will be posted at the Oliver Hodge building and filed with the country clerk as required by law.

(D) All fees and/or costs shall be paid by the Requester prior to delivery of the response to the request. All fees must be paid by check or money order payable to the Oklahoma State Department of Education. No cash will be accepted.

(e) Processing and response times. The agency will provide prompt, reasonable access to records in accordance with the requirements of [51 O.S. § 24A.5\(5\)](#). The period of time considered prompt and reasonable is dependent upon a number of variable factors including, but not limited to:

(1) The scope and complexity of the request;

(2) Whether the workload of the agency or agencies necessary to respond to the request permits a response to the request without excessive disruption of essential services of the agency/agencies;

(3) Whether the records request includes:

(A) A sufficiently detailed description of the request by the requestor necessary for the agency to ascertain the existence of records responsive to the request;

(B) Records or portions of records deemed confidential by state and/or federal law which must be removed or redacted in order to permit inspection of the records.

(4) Whether the Requester requested copies of the records and if so, whether the Requester has paid applicable fees and/or costs set forth in (d) of this Section;

(5) Whether additional steps by the agency must be taken in order to ensure that inspection, copying, and/or response to the records can be provided without jeopardizing the integrity and organization of the records; and

(6) Whether student data is included within the scope of its request, and if so:

(A) Time necessary to de-identify and aggregate student data in accordance with the requirements of the [Federal Educational Rights and Privacy Act \(FERPA\)](#) at 20 U.S.C. § 1232g et seq. and accompanying regulations; the Student Data Accessibility, Transparency and Accountability Act of 2013 at 70 O.S. § 3-168 and accompanying regulations; or any other applicable provisions of state or federal law pertaining to confidentiality of records; or

(B) Time necessary to obtain approval of the State Board of Education in accordance with the requirements of the [Student Data Accessibility, Transparency and Accountability Act](#) of 2013 at 70 O.S. § 3-168 and accompanying regulations.

(14)

HARASSMENT, INTIMIDATION AND BULLYING

OAC 210:10-1-20. Implementation of policies prohibiting harassment, intimidation, and bullying

(a) **Purpose.** Bullying has a negative effect on the social environment of schools, creates a climate of fear among students, inhibits the ability to learn, and leads to other antisocial behavior. Other detrimental effects of bullying include impact on school safety, student engagement, and the overall school environment. Successful school programs recognize, prevent, effectively identify, and intervene in incidents involving harassment, intimidation and bullying behavior. Schools that implement these programs have improved safety and create a more inclusive learning environment. The purpose of the Oklahoma School Bullying Prevention Act, [70 O.S. § 24-100.2](#), et seq., is to provide a comprehensive approach for public schools to create an environment free of unnecessary disruption which is conducive to the learning process by implementing policies for the prevention of harassment, intimidation and bullying.

(b) **Definitions.** The following words and terms, when used in this subchapter, shall have the following meaning:

(1) **"Harassment, Intimidation, and Bullying"** means any pattern of harassment, intimidation, threatening behavior, physical acts, verbal or gesture, written or verbal expression, electronic communication directed toward a student or group of students that, or physical act that a reasonable person should know will:

(A) Results in or is reasonably perceived as being done with the intent to cause negative educational or physical results for the targeted individual or group; and Harm another student;

(B) Is communicated in such a way as to disrupt or interfere with the school's

educational mission or the education of any student. Damage another student's property;

~~(C) Place another student in reasonable fear of harm to the student's person or damage to the student's property; or~~

~~(D) Insult or demean any student or group of students,~~

(2) **"At school"** means on school grounds, in school vehicles, at school-sponsored activities, or at school-sanctioned events. **"Applicability"** means the aforementioned conduct constitutes harassment, intimidation, and bullying if conducted in such a way as to disrupt or interfere with the school's educational mission or the education of any student. This includes, but is not limited to gestures, written, verbal, or physical acts, or electronic communications.

(3) **"Electronic Communication"** means the communication of any written, verbal, or pictorial information or video content by means of an electronic device, including, but not limited to, a telephone, a mobile or cellular telephone or other wireless telecommunication device, or a computer.

(4) **"Threatening Behavior"** means any pattern of behavior or isolated action, whether or not it is directed at another person, that a reasonable person would believe indicates potential for future harm to students, school personnel, or school property.

~~(5) **Scope.** Threatening behavior, harassment, intimidation, and bullying is prohibited on school grounds, in school vehicles, at designated bus stops, at school sponsored activities, or at school sanctioned events. Threatening behavior, harassment, intimidation, and bullying by electronic communication is prohibited whether or not such communication originated at school, or with school equipment, if the communication is specifically directed at students or school personnel and concerns harassment, intimidation, or bullying at school.~~

(c) **Implementation.** Each district board of education shall adopt a policy for the control and discipline of all children attending public school in that district. Such policy shall set forth investigative procedures of reported incidents of harassment, intimidation, bullying, or threatening behavior. Such policy shall provide options for the methods of control and discipline of the students and shall define standards of conduct to which students are expected to conform, which may include a detailed description of a graduated range of consequences and sanctions for bullying. The policy adopted by each district board of education shall meet all of the following requirements: ~~include and/or establish the following:~~

(1) The policy shall specifically prohibit threatening behavior, harassment, intimidation, and all bullying at school. The prohibition against bullying at school shall include all use of by students at school and by electronic communication that is specifically directed at students or school personnel and is used to perpetuate incidents at school which meet the definition of bullying set forth (b) of this Section; ~~Electronic communication shall be prohibited whether or not such communication originated at school or with school equipment, if the communication is specifically directed at students or school personnel and concerns harassment, intimidation, or bullying at school.~~

(2) The policy shall require the district to establish a procedure at each school for reporting an act of bullying to a school official that includes:

(A) A process that ensures reports of bullying are kept confidential and private to the extent necessary to ensure the ability of individuals to report incidents without fear of retribution or retaliation. Such process shall include a procedure which enables any person to report an act of bullying anonymously, provided

that an anonymous report shall not be used as the sole basis for formal disciplinary action;

(B) A process that contains a requirement that any school employee that has reliable information that would lead a reasonable person to suspect that a person is a target of bullying shall immediately report it to the principal or a designee of the principal and provides guidelines to school administrators, teachers, and other personnel on specific actions to take if incidents of bullying occur; and

(C) A process that ensures tracking of multiple incidents in a way that enables school administrators to identify emerging patterns of bullying over extended periods of time and interventions used with specific bullies and victims of bullying; and

(D) A process that ensures that students are encouraged to report incidents of known bullying and that the system of reporting bullying incidents does not contain unnecessary obstacles to reporting that would serve as a deterrent to reporting;

(3) The policy shall contain procedures for publicizing the bullying policy that meet all of the following requirements:

(A) An annual written notice of the bullying policy, written in age-appropriate language, shall be provided to parents, guardians, staff, volunteers, and students at each school;

(B) A written notice of the school bullying policy shall be posted at various locations within each school site, including, but not limited to cafeterias, school bulletin boards, classrooms, and administration offices. The notice shall be written in age-appropriate language that is understandable and accessible by all students in the school in which the notice is distributed;

(C) The bullying policy shall be posted on the internet websites of the school district and each school site in the district which has its own website; and

(D) The bullying policy shall be included in all student and employee handbooks;

(4) The policy shall require that appropriate school district personnel involved in investigation of reports of bullying shall make a determination regarding whether or not the conduct alleged is actually occurring;

(5) The policy shall require the district to establish a procedure at each school for providing timely notification of documented and verified incident(s) of bullying to the parents or guardians of a victim of documented to the parents or guardians of the perpetrator;

(6) The policy shall require each school to identify by job title the official who is responsible for enforcement of the district's bullying policy;

(7) The policy shall require the district to establish a procedure at each school for reporting all documented and verified acts of bullying to law enforcement that either:

(A) May constitute criminal conduct; or

(B) Have a reasonable potential to endanger the safety of school students, school personnel, or school visitors;

(8) The policy shall require administrators and school employees to participate in annual training in bullying identification, prevention, reporting, and response that is developed and/or provided by the State Department of Education;

(9) The policy shall require the district to provide students and parents at each school with an educational program in bullying identification, prevention, reporting, and response that is designed and developed by the State Department of Education;

(210) The policy shall address prevention of and education about threatening behavior, harassment, intimidation, and bullying by providing procedures at each school that contain:-

(A) Consequences and remedial action for any person (including a student or school employee) who commits an act of bullying. All consequences and remedial action shall be appropriate to the age of the perpetrator(s) and severity of the incident. Such consequences may include, but are not limited to one or more of the following:

(i) Verbal or written warnings;

(ii) Conferences with the parent(s) and/or guardian(s) of the student(s) involved in an incident of bullying;

(iii) Detention;

(iv) Loss of school privileges;

(v) Course and/or teacher reassignment;

(vi) Prohibition or suspension of participation in school activities;

(vii) In-school or out-of-school suspension in accordance with the provisions of [70 O.S. 24-101.3](#) and district policy and procedures;

(viii) Meetings or conferences with a school counselor, school psychologist, or school social worker;

(ix) Restitution of a victim's property that has been damaged as a result of a documented and verified bullying incident;

(x) Reassignment, suspension, and/or termination of school employment;

(xi) Referral to law enforcement;

(B) Consequences and remedial action for a student found to have falsely accused another student of bullying as a means of retaliation, reprisal, or means of bullying that is appropriate to the age of the perpetrator and severity of the incident, provided that such consequences shall not be implemented or enforced in such a way as to deter credible reports of bullying incidents; and

(C) A strategy for providing appropriate services as necessary for students who are targets of bullying; family members affected by bullying; and perpetrators of bullying. Such services and support may be provided by the school directly or through referrals to other providers and may include, but are not limited to one or more of the following:

(i) Counseling;

(ii) Academic intervention;

(iii) Protection for students who are targets of bullying; and

(iv) Any other appropriate services as necessary to:

(I) Ensure the safety of all students involved in incidents of bullying; and

(II) Prevent further incidents of bullying.

(311) The policy shall require the district to establish a A-procedure at each school for:

(A) The the investigation, documentation, and determination of all incidents of harassment, intimidation, bullying or threatening behavior reported to school officials; for the purpose of determining the severity of the incidents and their potential to result in future violence.

(B) Identification and designation of a school official at each school site who is

responsible for investigation of incidents of bullying:

(C) Reporting the number of incidents of bullying to the State Department of Education; and

(D) Determination of the severity of the incident(s) and the potential of the incident(s) to result in future violence.

(412) The policy shall require the district to establish a A procedure at each school which provides, upon the completion of an investigation, that a school may recommend that available community mental health care, substance abuse, or other counseling options be provided to the student, if appropriate. This may include information about the types of support services available to the student bully, victim, and any other students affected by the prohibited behavior.

(513) The policy shall require the district to establish a A procedure at each school whereby a school may request the disclosure of any information concerning students who have received mental health, substance abuse, or other health care pursuant to ~~sub section~~ (412) of this ~~rule~~ subsection, if that information indicates an explicit threat to the safety of students or school personnel provided, and if the disclosure of that information does not violate the provisions or requirements of the Family Educational Rights and Privacy Act of 1974, the Health Insurance Portability and Accountability Act of 1996, Section 2503 of Title 12 of the Oklahoma Statutes, Section 1376 of Title 59 of Oklahoma Statutes, or any other state or federal laws relating to the disclosure of confidential information.

(d) **Policy Adoption.** The policy adopted by the local school board pursuant to 70 O.S. § 24-100.4 shall include the statutorily required sections outlined in section (c) of this rule. Failure to include such items shall result in action pursuant to ~~section (f) of this rule~~Section.

(e) **Policy Development.** In developing a district policy, each district board of education shall make an effort to involve teachers, parents, and students. The students, teachers, and parents or guardian of every child residing within a school district shall be notified by the district board of education of the adoption of the policy and shall receive a copy upon request.

(f) **Monitoring and Compliance.** The State Board of Education shall monitor school districts for compliance with 70 O.S. § 24-100.4 and ~~section (c) of this rule~~Section.

(1) To assist the State Department of Education with compliance efforts pursuant to this section, each school district shall identify a Bullying Coordinator who will serve as the district contact responsible for providing information to the State Board of Education. The Bullying Coordinator shall maintain on file with the Department of Education updated contact information. Each school district shall notify the State Department of Education within fifteen (15) business days of the appointment of a new Bullying Coordinator.

(2) ~~Beginning with the 2012-2013 school year, and for each school year following, each~~ Every school district shall submit to the State Board of Education a copy of the district's bullying policy. The bullying policy shall be submitted to the State Department of Education by December 10th of each school year, and shall be submitted as a part of the school's Annual Performance Report.

(3) ~~Beginning with the 2012-2013 school year, and for each school year following, the~~ The State Department of Education shall conduct a an annual comprehensive review of each school district's bullying policy to ensure compliance with 70 O.S. § 24-100.4. School districts that do not comply with the statutory requirements of the statute shall be notified in writing, and be required to make necessary changes to comply with state law.

(4) State Department of Education staff shall monitor school districts for compliance with [70 O.S. § 24-100.4](#) and section (c) of this rule. The State Department of Education may initiate a compliance review upon receipt of evidence which indicates noncompliance with [70 O.S. § 24-100.4](#). Evidence of potential noncompliance shall be based on the nature or frequency of confirmed complaints of non-compliance received by the State Department of Education. The scope of a compliance review initiated pursuant to ~~sub-section~~ (f) of this ~~Section~~ rule shall be limited to determining whether a school district has implemented policies required by [70 O.S. § 24-100.4](#).

(5) Records indicating substantial noncompliance with ~~sub-sections (3) or (4)~~ (c) of this ~~rule~~ Section shall be submitted to the school district's Regional Accreditation Officer (RAO) for review and consideration during the district's accreditation process. Record of a school district's failure to comply with [70 O.S. § 24-100.4](#), including the number of confirmed complaints of non-compliance involving the district, shall be documented in the district's compliance report and be considered for purposes of accreditation.

(g) **Federal Applicability.** Harassment, intimidation, and bullying behavior may also result in discriminatory harassment, prohibited by [Title VI of the Civil Rights Act of 1964 \(Title VI\)](#), which prohibits discrimination on the basis of race, color, or national origin; [Title IX of the Education Amendments of 1972 \(Title IX\)](#), which prohibits discrimination on the basis of sex; [Section 504 of the Rehabilitation Act of 1973 \(Section 504\)](#); and [Title II of the Americans with Disabilities Act of 1990 \(Title II\)](#). Section 504 and Title II prohibit discrimination on the basis of disability. Each school district shall take necessary steps to ensure compliance with federal law.

(14)

70 O.S. § 24-100.3 - Purpose and Definitions

A. ~~The Legislature finds that bullying has a negative effect on the social environment of schools, creates a climate of fear among students, inhibits their ability to learn, and leads to other antisocial behavior. Bullying behavior has been linked to other forms of antisocial behavior, such as vandalism, shoplifting, skipping and dropping out of school, fighting, and the use of drugs and alcohol. Research has shown that sixty percent (60%) of males who were bullies in grades six through nine were convicted of at least one crime as adults, and thirty-five percent (35%) to forty percent (40%) of these former bullies had three or more convictions by twenty-four (24) years of age. Successful programs to recognize, prevent, and effectively intervene in bullying behavior have been developed and replicated in schools across the country. These schools send the message that bullying behavior is not tolerated and, as a result, have improved safety and created a more inclusive learning environment.~~

B. ~~The purpose of the School Bullying Prevention Act is to provide a comprehensive approach for the public schools of this state to create an environment free of unnecessary disruption which is conducive to the learning process by implementing policies for the prevention of harassment, intimidation, and bullying.~~
C. ~~As used in the School Safety and Bullying Prevention Act:~~

1. ~~"Harassment, intimidation, and bullying~~ Bullying" means any gesture, written pattern of harassment, intimidation, threatening behavior, physical acts, verbal or verbal expression, electronic communication, or physical act that a reasonable person should know will harm another student, damage another student's property, place another student in reasonable fear of harm to the student's person or damage to the student's property, or insult or demean any student or group of students in such a way as to disrupt or interfere with the school's educational mission or the education of any student. "Harassment, intimidation, and

~~bullying" include, but are not limited to, gestures, written, verbal, or physical acts, or electronic communications directed toward a student or group of students that results in or is reasonably perceived as being done with the intent to cause negative educational or physical results for the targeted individual or group and is communicated in such a way as to disrupt or interfere with the school's educational mission or the education of any student;~~

2. "At school" means on school grounds, in school vehicles, ~~at designated school bus stops,~~ at school-sponsored activities, or at school-sanctioned events;

3. "Electronic communication" means the communication of any written, verbal, ~~or~~ pictorial information or video content by means of an electronic device, including, but not limited to, a telephone, a mobile or cellular telephone or other wireless telecommunication device, or a computer; and

4. "Threatening behavior" means any pattern of behavior or isolated action, whether or not it is directed at another person, that a reasonable person would believe indicates potential for future harm to students, school personnel, or school property.

~~D. B.~~ Nothing in this act shall be construed to impose a specific liability on any school district.

(13)

70 O.S. § 24-100.4 - Control and Discipline of Child

A. Each district board of education shall adopt a policy for the ~~control and~~ discipline of all children attending public school in that district, and for the investigation of reported incidents of ~~harassment, intimidation, bullying, or threatening behavior.~~ The policy shall provide options for the methods of control and discipline of the students and shall define standards of conduct to which students are expected to conform. The policy shall:

1. ~~Specifically prohibit address threatening behavior, harassment, intimidation, and bullying by students at school and by electronic communication, whether or not such communication originated at school or with school equipment,~~ if the communication is specifically directed at students or school personnel and concerns ~~harassment, intimidation, or~~ bullying at school;

2. Contain a procedure for reporting an act of bullying to a school official, including a provision that permits a person to report an act anonymously. No formal disciplinary action shall be taken solely on the basis of an anonymous report;

3. Contain a requirement that any school employee that has reliable information that would lead a reasonable person to suspect that a person is a target of bullying shall immediately report it to the principal or a designee of the principal;

4. Contain a statement of how the policy is to be publicized including a requirement that:

a. an annual written notice of the policy be provided to parents, guardians, staff, volunteers and students, with age-appropriate language for students.

b. notice of the policy be posted at various locations within each school site, including but not limited to cafeterias, school bulletin boards, and administration offices.

c. the policy be posted on the Internet website for the school district and each school site that has an Internet website, and

d. the policy be included in all student and employee handbooks;

5. Require that appropriate school district personnel involved in investigating reports of bullying make a determination regarding whether the conduct is actually occurring;

6. Contain a procedure for providing timely notification to the parents or guardians of a victim of documented and verified bullying and to the parents or guardians of the perpetrator of the documented and verified bullying;

7. Identify by job title the school official responsible for enforcing the policy;

8. Contain procedures for reporting to law enforcement all documented and verified acts of bullying which may constitute criminal activity or reasonably have the potential to endanger school safety;

9. Require annual training for administrators and school employees as developed and provided by the State Department of Education in preventing, identifying, responding to and reporting incidents of bullying;

10. Provide for an educational program as designed and developed by the State Department of Education for students and parents in preventing, identifying, responding to and reporting incidents of bullying;

11. Address prevention ~~of and education about such behavior~~ by providing:

a. consequences and remedial action for a person who commits an act of bullying.

b. consequences and remedial action for a student found to have falsely accused another as a means of retaliation, reprisal or as a means of bullying, and

c. a strategy for providing counseling or referral to appropriate services, including guidance, academic intervention, and other protection for students, both targets and perpetrators, and family members affected by bullying, as necessary;

~~3.~~ 12. Establish a procedure for ~~the investigation of:~~

a. the investigation, determination and documentation of ~~harassment, intimidation, bullying, or threatening behavior~~ reported to school officials ~~for the purpose of determining,~~

b. identifying the principal or a designee of the principal as the person responsible for investigating incidents of bullying.

c. reporting the number of incidents of bullying, and

d. determining the severity of the incidents and their potential to result in future violence;

4. ~~13.~~ Establish a procedure whereby, upon completing an investigation ~~pursuant to paragraph 3 of this subsection of bullying,~~ a school may recommend that available community mental health care, substance abuse or other counseling options be provided to the student, if appropriate; and

5. ~~14.~~ Establish a procedure whereby a school may request the disclosure of any information concerning students who have received mental health, substance abuse, or other care pursuant to paragraph 4 ~~13~~ of this subsection that indicates an explicit threat to the safety of students or school personnel, provided the disclosure of the information does not violate the requirements and provisions of the [Family Educational Rights and Privacy Act of 1974](#), the [Health Insurance Portability and Accountability Act of 1996](#), [Section 2503 of Title 12](#) of the Oklahoma Statutes, [Section 1376 of Title 59](#) of the Oklahoma Statutes, or any other state or federal laws regarding the disclosure of confidential information.

B. In developing the policy, the district board of education shall make an effort to involve the teachers, parents, administrators, school staff, school volunteers, community representatives, local law enforcement agencies and students ~~affected~~. The students, teachers, and parents or guardian of every child residing within a school district shall be notified by the district board of education of its adoption of the policy and shall receive a copy upon request. ~~Provided, the~~ The school district policy shall be implemented in a manner that is ongoing throughout the school year and is integrated with other violence prevention efforts.

C. The teacher of a child attending a public school shall have the same right as a parent or guardian to control and discipline such child according to district policies during the time the child is in attendance or in transit to or from the school or any other school function authorized by the school district or classroom presided over by the teacher.

~~B.~~ D. Except concerning students on individualized education plans (IEP) pursuant to the [Individuals with Disabilities Education Act \(IDEA\)](#), P.L. No. 101-476, the State Board of Education shall not have authority to prescribe student disciplinary policies for school districts or to proscribe corporal punishment in the public schools. The State Board of Education shall not have authority to require school districts to file student disciplinary action reports more often than once each year and shall not use disciplinary action reports in determining a school district's or school site's eligibility for program assistance including competitive grants.

~~C.~~ E. The board of education of each school district in this state shall have the option of adopting a dress code for students enrolled in the school district. The board of education of a school district shall also have the option of adopting a dress code which includes school uniforms.

~~D.~~ F. The State Board of Education shall ~~promulgate~~:

1. Promulgate rules for periodically monitoring school districts for compliance with this section and providing sanctions for noncompliance with this section;

2. Establish and maintain a central repository for the collection of information regarding documented and verified incidents of bullying; and

3. Publish a report annually on the State Department of Education website regarding the number of documented and verified incidents of bullying in the public schools in the state.

70 O.S. § 24-100.5

A. ~~Due to the growing concern regarding safety and the ever constant threat of violence in the public schools, it is the intent of the Legislature that public schools and families work together to combat this rising problem. Therefore, beginning October 1, 1996, and every~~ Every year thereafter, each public school site shall establish a Safe School Committee to be composed of at least seven (7) members. The Safe School Committee shall be composed of ~~an equal number of~~ teachers, parents of ~~the children affected~~ enrolled students, students, and a school official who participates in the investigation of reports of ~~harassment, intimidation, bullying, and threatening behavior~~ as required by subsection A of [Section 24-100.4](#) of this title. The Committee may include administrators, school staff, school volunteers, community representatives, and local law enforcement agencies. The Committee shall assist the school board in promoting a positive school climate through planning, implementing and evaluating effective prevention, readiness and response strategies, including the policy required by Section 24-100.4 of this title.

B. The Safe School Committee shall study and make recommendations to the principal regarding:

- 1. Unsafe conditions, possible strategies for students, faculty and staff to avoid physical and emotional harm at school, student victimization, crime prevention, school violence, and other issues which prohibit the maintenance of a safe school;*
- 2. Student ~~harassment, intimidation, and bullying at school~~ as defined in [Section 24-100.3](#) of this title;*
- 3. Professional development needs of faculty and staff to ~~recognize and~~ implement methods to decrease student ~~harassment, intimidation, and~~ bullying; and*
- 4. Methods to encourage the involvement of the community and students, the development of individual relationships between students and school staff, and use of problem-solving teams and resources that include counselors ~~and/or school psychologists~~ and other behavioral health resources within or outside the school system.*

In its considerations, the Safe School Committee shall review the district policy for the prevention of bullying and the list of research-based programs appropriate for the prevention of bullying of students at school compiled by the State Department of Education. In addition, the Committee may review traditional and accepted ~~harassment, intimidation, and~~ bullying prevention programs utilized by other states, state agencies, or school districts.

C. The State Department of Education shall ~~compile~~:

- 1. Develop a model policy and deliver training materials to all school districts on the components that should be included in a school district policy for the prevention of bullying; and*
- 2. Compile and distribute to each public school site, prominently display on the State Department of Education website and annually publicize in print media a list of research-based programs appropriate for the prevention of ~~harassment, intimidation, and~~ bullying of students ~~at school~~. If a school district implements a commercial bullying prevention program, it shall use a program listed by the State Department of Education.*

NONTRADITIONAL INSTRUCTIONAL DELIVERY SYSTEMS

OAC 210:35-21-2. Nontraditional instructional delivery systems

(a) **Definitions**

The following words and terms, when used in this section, shall have the following meaning unless the context clearly indicates otherwise:

- (1) "Synchronous instruction" means the instructor and student's primary interactions are in real time. Regular classroom instruction is synchronous instruction, as well as two-way interactive video. Web-based instruction that requires real-time interaction between student(s) and instructor as the primary format of instruction is also synchronous instruction.
- (2) "Asynchronous instruction" means instructor and student interaction is not dependent on real time. Asynchronous instruction allows the student to engage in learning activities anywhere at anytime. For instruction to be considered asynchronous, the primary format of instruction does not depend on real-time interaction of the participants.
- (3) "Web-based instruction" means the use of the World Wide Web as the primary medium of instruction, with a computer serving as the primary tool of instruction. Web-based instruction may be synchronous or asynchronous.
- (4) "Two-way interactive video instruction" means real-time (synchronous) interaction between student(s) and instructor by means of an electronic medium that provides for both audio (sound) and video (sight) signal. Students and instructors participating in two-way interactive video instruction may both see and hear each other in an approximation of real-time.

(b) **Nontraditional Instructional Delivery System**

Internet-based instructional programs offered for instructional purposes and/or high school credit shall be approved by and under the supervision of the local board of education where the course is offered. The State Board of Education reserves the right to request information and materials sufficient to evaluate the proposed course(s).

(c) **Local Board Policy**

Each local school board shall adopt policies prior to offering Internet-based instructional courses which shall comply with the following guidelines.

- (1) Web-based and two-way interactive video instruction shall be viewed as methods by which the public schools within the state can expand their course offerings and access to instructional resources. These new technologies should not be viewed solely as substitutes for direct, face-to-face student and teacher interactions, but as a means of expanding the ability of the local district to bring the world of knowledge to their students.
- (2) The local school board shall be the entity granting student credit for completion of courses offered by means of Internet-based instruction. The local school board will assume all responsibility for such course work.
- (3) Only students who are regularly enrolled in the school district shall be allowed to enroll in nontraditional instructional delivery systems courses offered for credit through the local school district.
- (4) The principal or designee of the local school shall evaluate and approve/disapprove all students' requests to participate in courses delivered by means of Internet-based

instruction. Only those enrollments approved by such a process shall be eligible for credit granted by the local school district.

- (5) A certified staff member shall be identified by the local school principal to serve as the building level contact person to assist students enrolling in online courses and serve as a liaison to the online teachers and provider(s).
- (6) Students earning credit by means of Internet-based instruction shall participate in all assessments required by the Oklahoma School Testing Program. No student shall be allowed to participate in these assessments at a place other than the school site at which the student is enrolled.
- (7) Courses offered for credit by means of Internet-based instruction shall be aligned with the Priority Academic Student Skills (PASS)²³.
- (8) Oklahoma statute limiting the number of students public school teachers may supervise in each period of instruction and the total number of students allowed daily shall apply to synchronous web-based and two-way interactive video courses. The number of students each instructor may be required to supervise in asynchronous web-based courses shall be established by means of local school board policy.
- (9) Each teacher of two-way interactive video and web-based courses shall be provided inservice training pertaining to the methodology of instructional delivery and the technical aspects of distance learning.
- (10) The issues regarding the monitoring of student progress, graded assignments, and testing in Internet-based instruction courses shall be addressed by the local school board policy.
- (11) The security of individual student data and records shall be addressed by the local school board policy. No individual student data obtained through participation in Internet-based instruction courses shall be used for any purposes other than those that support the instruction of the individual student.
- (12) District level aggregated data obtained through participation in Internet-based instruction courses shall be addressed by the local school board policy.
- (13) All federal and state statutes pertaining to student privacy, the posting of images on the World Wide Web, copyright of materials, Federal Communications Commission rules pertaining to the public broadcasting of audio and video, and other such issues shall be addressed by the local school board policy.
- (14) Prior to the beginning of instruction, cooperating school districts sharing courses by means of two-way interactive video technology shall, by means of contractual agreement, address such issues as the instruction costs, bell schedules, school calendars, student behavior, teacher evaluation, textbooks, class periods, student grades and grading policies, teacher load and instructor employment.
- (15) Contractual agreements shall be established between the school district and parent(s), or legal guardian, of students participating in alternative instructional delivery system courses prior to the beginning of instruction. These contracts may address such issues as grading criteria, time allotted for course completion, student attendance, and the responsibility for course costs and equipment.
- (16) Instructors of Internet-based courses shall be:
 - (A) certified in Oklahoma or another state to teach in the content area of the course offered, or

²³ Administrative rules have not yet been updated to reflect changes enacted to academic standards during the 2014 legislative session. PASS standards for language arts and mathematics will apply only through August 2016 at the latest. [[70 O.S. § 11-103.6a](#)]

(B) a faculty member at an accredited institution of higher education, possessing the specific content expertise necessary to teach the course. (06)

SUPPLEMENTAL ONLINE COURSES

OAC 210:15-34-1. General provisions

(a) **Purpose.** The purpose of this program is to make supplemental learning opportunities available to local school district students using online technology in a nontraditional classroom setting, (i.e., inside or outside of public school site locations). The supplemental online course enrollment options are for public school students enrolled in the district. This rule establishes policies and procedures as directed by 2011 Senate Bill 280, which amends Oklahoma Statute [Title 70, Section 1-111](#).

(b) **General Information.** The Oklahoma Supplemental Online Course Program (hereafter referred to as OSOCP), establishes a framework for districts to offer supplementary online courses to any public student residing in Oklahoma. All OSOCP teachers shall be: 1) appropriately certified in accordance with Oklahoma Administrative Rule 210:35-21-2 to teach in the content area of the course offered, or 2) a faculty member at an accredited institution of higher education, possessing the specific content expertise necessary to teach the course. All courses offered through OSOCP shall be aligned with Oklahoma's Priority Academic Student Skills (PASS) curriculum standards and/or Common Core State Standards (CCSS)²⁴. Local districts have control regarding the method by which they deliver online courses to enrolled students.

(c) **Definitions.**

(1) **Supplemental online course.** An online program that allows students who are enrolled in a public school to supplement their education by enrolling part time in online courses that are educationally appropriate for the student, which are equal to the equivalent of classroom instruction time required for student attendance and participation by the district.

(2) **Educationally appropriate.** For the purposes of supplemental online courses, "educationally appropriate" means any instruction that is not substantially a repeat of a course or portion of a course that the student has successfully completed, regardless of the grade of the student, and regardless of whether a course is similar to or identical to the instruction that is currently offered in the school district. ~~educationally appropriate means an instructional delivery method best suited for an individual student to advance the student's academic standing toward meeting the learning expectations of the district and State graduation requirements for the student.~~ The determination of educationally appropriate will be made at local district level. (14)

OAC 210: 15-34-2. Access

Only public school students enrolled in the district will be granted access to supplemental online courses. Each Oklahoma public school district shall provide enrolled students the opportunity to participate in supplemental online courses that comply with the standard curriculum of the public school. Once a student has made a request to enroll in supplemental online course(s), the district will be obligated to take necessary steps to determine the educational appropriateness of the request and to make online course(s) available to the

²⁴ Administrative rules have not yet been updated to reflect changes enacted to academic standards during the 2014 legislative session. PASS standards for language arts and mathematics will apply only through August 2016 at the latest. [\[70 O.S. § 11-103.6a\]](#) Common Core State Standards repealed June 2014. [\[HB 3399\]](#)

student. Oklahoma public school students may take supplemental online courses from any online course provider selected and approved by the district that meets the criteria established by the Oklahoma State Board of Education. The school district shall not limit a student's access to supplemental online courses by either policy or application of internal or customary procedures. However, students taking supplemental online courses from a remote location will be responsible for providing their own equipment and Internet access.

(12)

OAC 210: 15-34-3. Funding

The yearly revenue received in the General Fund from all sources of revenue for districts may be used by districts to purchase one or more courses per student from any online course provided that meets the criteria established by the Oklahoma state Board of Education. A school district shall provide funding for online courses in an amount not to exceed the previous year's general fund per pupil expenditure. Public school students will be allowed to take up to the academic equivalent of five (5) hours of supplemental online instruction per day at no cost to the student. Districts shall not be required to dedicate more than the pro-rated portion of the previous year's per pupil expenditure towards payment for online courses so that the appropriate portion of funding is allocated to correspond with the number of online course hours the student has enrolled in. Students wishing to take more online course instruction may do so, but the cost to the district for such additional courses cannot exceed the pro-rated portion of the general fund per pupil expenditure for the student. No district will be financially responsible to pay an online course provider for online course instruction expenses incurred by a student that exceeds the pro-rated portion of the general fund per pupil expenditure for the student. The funding restrictions in no way will effect, prohibit or prevent any student from enrolling in additional online courses at the expense of the student or student's parent or guardian. Districts will also bear no responsibility for payment or collection of any outstanding funds or fees owed by a student to an online course provider.

OAC 210: 15-34-4. School Day

Students may take OSOCP courses from a location inside or outside of the school site location, and may take supplemental online courses outside the normal school hours of operation. Students who elect to enroll in supplemental online courses, regardless of when or where taken, are still required to complete the equivalent number of hours of instruction as regularly enrolled students in the district and must satisfy the same attendance requirements of the district. For purposes of supplemental online courses, one credit may be granted for required or elective courses consisting of a minimum of 120 instructional hours or in which students demonstrate mastery of Oklahoma's *PASS* and/or *CCSS* in one-credit courses without specified instructional time. The local district shall establish local policy regarding attendance standards for supplemental online students in accordance with these rules.

(12)

OAC 210: 15-34-5. Student Eligibility, Admissions & Enrollment

Online supplemental courses that are educationally appropriate shall be offered to all qualifying Oklahoma school students who meet the following criteria:

- (1) **Eligibility.** Districts shall offer individual academically approved and educationally appropriate online supplemental courses to students who are enrolled in the local school district. Students enrolled in supplemental online courses through the local public school district must meet all enrollment and eligibility criteria set by the district, the Oklahoma State Board of Education Rules, and Oklahoma State Statutes. Districts may use their existing residency determination policy utilized for registration/enrollment so long as the

policy complies with all current rules and statutes regarding residency, transfers, and enrollment. Only students who are enrolled in the public school for the current school year are eligible to enroll in supplemental online courses through OSOCP.

(2) **Admissions.** Each accredited public school district shall apply their locally adopted admissions process for regular enrollment to satisfy enrollment requirements for online students. The admission process for students taking one or more supplemental online courses through a public school district shall be the same for students enrolled in traditional coursework.

(3) **Enrollment in supplemental online courses.** Each local school board shall adopt a policy for enrollment in supplemental online courses. However, the local policy cannot prohibit or deny a student the opportunity to enroll in supplemental online courses that are educationally appropriate for the student. The local school district policy shall allow for ongoing and continuous enrollment for supplemental online courses that are compliant with the state statute and all applicable Administrative Code Rules. Students may have input as to the selection of supplemental online course providers but the final determination and selection of the provider(s) is left to the discretion of the local district. No enrollment in a supplemental online course will be allowed until the parent or legal guardian has signed the Oklahoma State Department of Education Student Assessment Results Release Form or FERPA waiver. If a school district denies a student's enrollment in a supplemental online course based upon a determination that the course is not educationally appropriate, the local school board enrollment policy must contain a process for the parents or guardians of the student to appeal that determination. Districts will notify the State Department of Education immediately of any denial of a student's enrollment in online supplemental course(s), the reasons given for the denial, and any correspondence or information the district received in support of the student taking the online course(s). Notice shall be directed to the Director of Instructional Technology at the State Department of Education.

(4) **Course codes and course credit transferability.** For the purpose of data collection, supplemental online courses shall employ the appropriate course codes, names, and numbers as established by the Oklahoma State Department of Education. All public school districts in Oklahoma shall recognize course credit issued for courses authorized through OSOCP.

(5) **Reporting course completion or change in enrollment status.** Supplemental online course providers shall officially notify school districts and parents in writing of the completion of each course the student takes within five (5) business days of completion. Course grades must be reported in the form of a percentage or in a manner consistent with local school grading policies. Local districts shall use the district's established grading scale to convert the percentage to a letter grade or other notation consistent with local school grading policies for transcript purposes. Providers must also report any change in a student's status (moving, dropping a course, etc.) immediately upon discovery or notification of the student's change in status.

(12)

OAC 210: 15-34-6. Grading Scales

School district policies governing grading scales and credits earned shall be applied to OSOCP courses under the same criteria as courses offered by the school district. A grade assigned for course credit that was completed through the OSOCP shall be treated the same as any other course offered by the district.

(12)

OAC 210: 15-34-7. Student information system

Each district shall use the Oklahoma State Department of Education's electronic student information system to document enrollment in a supplemental online courses. The online provider for the course shall be coded to the individual student's enrollment record.

(12)

OAC 210: 15-34-8. Course withdrawal grace period

Each local school board shall adopt policies for a grace period for withdrawal from a supplemental online course of fifteen (15) calendar days from the first day of a supplemental online course enrollment as required by [70 O.S. § 1-111\(C\)\(6\)](#). A student who withdraws during the fifteen (15) day grace period may withdraw from the supplemental online course without academic penalty. A student who withdraws from any supplemental online course is still obligated to complete the equivalent number of classroom hours of educational instruction that is required of students in the district in accordance with state law and local district policy. No school district shall be required to pay an online course provider for any student enrollment of less than (15) fifteen calendar days.

(12)

OAC 210: 15-34-9. Course completion

Supplemental Online courses are an optional avenue for instruction. All existing requirements related to student progression including retention, promotion, and grade assignment are the same for the school district's online students as they are for students enrolled in traditional courses. Each local school board shall ensure that students have the opportunity to advance through the supplemental online course at their own pace so long as the supplemental online course completion corresponds with the standard course completion schedule of the district or the student's Individualized Education Program (IEP) or 504 Plan.

(12)

OAC 210: 15-34-10. Attendance

Students enrolled in supplemental online courses must meet all state mandated compulsory attendance requirements and are not exempt from state truancy laws. Attendance/participation in a supplemental online course shall be monitored in accordance with local district policy and determined by documented student/teacher/course interaction that may include, but is not limited to, online chats, emails, posting/submission of lessons, etc. The student may be counted "present" or "in attendance" when the supplemental online course provider provides evidence of student/teacher/course interaction that demonstrates student progress toward learning objectives and demonstrates regular student engagement in course activity. Supplemental online course providers shall make available to students, parents, and districts reports that reflect daily attendance/participation. Such attendance/participation reports shall be provided to parents and districts on a regular weekly basis via electronic format unless required more frequently by the local district. The supplemental online course provider must provide evidence that the student is making appropriate progress weekly and such reports shall be sent to the designated resident district office via electronic format unless required more frequently by the local district. **(12)**

OAC 210: 15-34-11. Extracurricular and co-curricular activities

Students who are enrolled in one or more supplemental online courses may participate in extracurricular activities sponsored by the district in which they are enrolled in accordance with state law and regulations governing participation as set forth in [70 O.S. § 1-111\(C\)\(8\)](#).

(12)

OAC 210: 15-34-12. Student assessments

Students enrolled in online courses must participate in required state-level academic assessments in the same manner as other regularly enrolled students within the state. No student will be allowed to enroll in an online course without submission of a signed Education Student Assessment Results Release Form or FERPA waiver. available on the Oklahoma State Department of Education (OSDE) Web site at <www.sde.state.ok.us>. Each local school board shall adopt a policy that requires and ensures each student enrolled in one or more online courses will participate in state assessments administered pursuant to state statute and that the results of the assessments are released to the school district and the online course provider(s).

(12)

OAC 210: 15-34-13. Communication: Progress Reports

Local school districts shall establish a method for districts to accept transmissions of progress reports and grades for students enrolled in supplemental online courses. Students enrolled in supplemental online courses shall have their progress monitored by the supplemental online course provider weekly unless more frequent reporting is required by the local district. Progress reports shall be transmitted to the designated district representative and parent(s)/guardian(s) via electronic format. Such reports shall be reviewed regularly by the district at least twice per month unless more frequent review is required by the local district.

(12)

OAC 210: 15-34-14. Online Course Providers

Each supplemental online course provider seeking to serve Oklahoma public school districts must demonstrate compliance with Oklahoma State Board of Education guidelines by completing the Oklahoma State Department of Education School District Virtual Instruction Vendor Form. This form is available on the OSDE web site, <www.sde.state.ok.us>. Vendor forms shall be submitted to the OSDE with a list of all course offerings that meet Oklahoma educational standards and shall include a price list of the cost of each course offered by that Vendor for the current fiscal year. The Vendor Form will be posted on the OSDE Web site and must be updated annually by the Vendor by July 1st of each fiscal year. The course offerings and price schedules listed by each Vendor should be honored by the Vendor for a full fiscal year. No vendor shall be allowed to charge a price to the districts for an online course that is higher than the price listed in the OSDE Vendor Form on file with the OSDE unless the district enters into a contract for additional services. A district may choose to negotiate a lower price with the vendor or choose to pay a higher price. Districts may provide vendor feedback to the Oklahoma State Department of Education through its website. The Department will maintain all vendor and course feedback comments received from districts on its website for two (2) years from the date of receipt.

(12)

OAC 210: 15-34-15. Payment

A price schedule for each supplemental online course for each online vendor shall be listed and maintained by the State Board of Education for the current academic year. The local school district shall only be required to pay the price listed by the vendor for that academic year. A district may choose to negotiate a lower price with the vendor. The local school district shall use standard payment procedures that comply with the uniform Oklahoma Cost Accounting System (OCAS) for reporting of supplemental online course expenses. Selection and payment for supplemental online courses for the student is the responsibility of the local public school district. Payment to the provider will be based upon continued course enrollment and subsequent course completion. Final payment to the provider shall be made in

accordance with the district's procurement policies or as otherwise negotiated by the district with the vendor by contract. All vendor contracts must comply with all State Department of Education rules and regulations. (12)

OAC 210: 15-34-16. Special Education

Local school districts shall provide supplementary aids and services, program modifications, supports for personnel and accommodations set forth in a student's IEP or Section 504 Plan to enable a student to take supplemental online courses as defined in section 210-15-34-(c)(1)(2) of these rules that have been determined to be educationally appropriate for the student. Provisions in the IEP for related services shall be the responsibility of the local school district where the student is enrolled in accordance with the Individuals with Disabilities Education Act (IDEA). Enrollment in supplemental online course does not abdicate, modify or alter the school district's legal responsibility under IDEA. (12)

OKLAHOMA HONOR SOCIETIES

OAC 210:35-23-1. Purpose

This Subchapter contains rules and regulations for Honor Societies which relate to and are in addition to the accreditation standards set forth in Subchapters 1 through 13 of this Chapter.

OAC 210:35-23-2. Oklahoma Middle, Junior High, or High School Honor Society

Rules and regulations which apply to Oklahoma middle, junior high, or high school Honor Society are:

- (1) The organization shall be known as either the Oklahoma Middle, Junior High or High School Honor Society.
- (2) The purpose of this society shall be to promote high standards of scholarship among the students in the schools of Oklahoma.
- (3) Every accredited middle, junior high or high school in the state is eligible to organize a local chapter of the society.
- (4) Each chapter shall take the name of the local school. The full name of the local organization shall be "(Name of School) Chapter, Oklahoma (Middle, Junior High, or High School) Honor Society."
- (5) Ten percent of the middle, junior high, or high school enrollment, whichever is applicable, will be eligible for membership. Only those students enrolled in grades included in the school are eligible for membership.
- (6) The 10 percent of the student body making the highest average marks in the school may be nominated.
- (7) Forms to be used in listing students that have been nominated for membership will be sent to the local school authorities prior to February 1 of each year. Membership will be based upon work done during the first semester of the current year and the second semester in the preceding year. The standing of students enrolled in the first year of a particular organizational level will be based on the work done during the first semester of the current year.
- (8) The local chapter may be organized as soon as nominations are made. Nominations should be approved by the local school officials not later than March 15 of each year. A list of students nominated should be sent to the State Department of Education, Accreditation Section, on forms furnished for that purpose. A certificate of

membership for each person approved will be sent to the local school authorities. These certificates will be distributed in time for closing exercises of the school in the spring.

- (9) At the time the certificates are presented, there should be appropriate ceremonial exercises. This is usually done in connection with the commencement program or special awards assembly.
- (10) The local school officials shall have authority to make additional rules pertaining to school attendance, deportment, and student activities. (93)

PRIVATE ACCREDITING ASSOCIATIONS

OAC 210:35-33-1. Accreditation of private and parochial schools

Private and parochial schools may be accredited and classified in like manner as public schools. In addition a private accrediting association may be approved by the State Board of Education and have the authority to accredit schools within their association.

OAC 210:35-33-2. Comparable standards required for accreditation of nonpublic schools

Nonpublic schools of the state differ widely in mission, structure, funding, and operation and no prescribed set of standards can be applied to all schools. However, the standards must be comparable with the State Board of Education's standards for public schools in terms of the applicable quality indicators.

OAC 210:35-33-3. Application; approval of, and authority of private accrediting association; renewal

Written application must be submitted to the State Superintendent of Public Instruction for review. Upon recommendation by the State Superintendent of Public Instruction and approval by the State Board of Education, the private accrediting association will have the authority to accredit schools within their association. This authority will be retroactive to July 1 of the approval year and will expire at the end of five years at which time the private accrediting association may submit a written application to the State Superintendent of Public Instruction for renewal.

OAC 210:35-33-4. Criteria for approval and recognition of private accrediting association

The following criteria must be addressed by a private accrediting association in the application to the State Board of Education in order to be recognized by the State Board of Education to accredit schools:

(1) Scope of operations

- (A) The association must serve schools in the state of Oklahoma.
- (B) The association must clearly define in its charter, bylaws, or accrediting standards, the scope of its activities, including the types and levels of institutions covered.

(2) Organization

- (A) The association must have the administrative personnel and procedures to carry out its operations in a timely and effective manner.
- (B) The association must define its fiscal needs, and have adequate financial resources to carry out its operations as shown by an annual externally-audited financial statement or other reasonable documentation.

- (C) The association's fees, if any, for the accreditation process shall not exceed the reasonable cost of sustaining and improving the process.
 - (D) The association shall use competent and knowledgeable persons, qualified by training and experience, and will select such persons in accordance with nondiscriminatory practices:
 - (i) To participate on visiting teams;
 - (ii) To engage in consultative services for the evaluation and accreditation process; and
 - (iii) To serve on policy and decision-making bodies.
 - (E) The association must include on each visiting committee at least one person who is not a member of its policy or decision-making body or its administrative staff.
- (3) **Procedures**
- (A) The association must maintain clear definitions of each level of accreditation status and have clearly written procedures for granting, denying, reaffirming, revoking, and reinstating such accredited status.
 - (B) If the association develops a pre-accreditation status, the criteria and procedures applying to the pre-accreditation must be related in an appropriate manner to those employed for accreditation.
- (4) **Accreditation policies**
- Accreditation serves clearly identified needs as follows:
- (A) The association's accreditation program must take into account the rights, responsibilities, and interests of the schools and their constituents.
 - (B) The association's purposes and objectives must be clearly defined in its charter, bylaws, or accrediting standards.
- (5) **Public information; standards by which schools are evaluated**
- The association publishes or otherwise makes publicly available the standards by which schools are evaluated which shall include the following areas:
- (A) **Philosophy and objectives**
The school shall have a clearly stated philosophy with objectives which are adequate to implement the philosophy.
 - (B) **Organization, governance, and finance**
The school shall be a legal entity with adequate financial resources and demonstrated professional management of its resources.
 - (C) **Plant and facilities**
The plant and facilities shall be adequate to support the program of the school. The school must comply with applicable state, county, and municipal health, safety, and sanitation codes.
 - (D) **Program**
The program of the school shall be designed in the best interests of the students, and students are admitted only when it has been determined that there are reasonable expectations that the students' best interests can be served. The program, while appropriately adjusted to serve the best interest of its students and to be consistent with the school's philosophy and objectives, complies with applicable rules of the State Board of Education, especially in the following areas:
 - (i) Length of the school day and school year;
 - (ii) The basic skills subjects in the elementary curriculum including subjects which constitute a well-balanced elementary curriculum; instructional time requirements and essential elements which are comparable to those required in the like subjects at equivalent grade levels in the public school

system; student academic records; and achievement levels required for promotion; and

- (iii) The appropriate subjects in the secondary curriculum, including sequencing of courses for which transferability of credit may be sought from the state; essential elements which are comparable to those required in the like subjects and courses at equivalent grade levels by the state; student academic records; and achievement levels necessary for the awarding of credits and diplomas.

(E) **Administration and staffing**

Professional staff members must hold degrees and be qualified by preparation or experience for positions they hold and for the work to which they are assigned.

(6) **Other public information**

In addition to the standards by which schools are evaluated, the association publishes or otherwise makes publicly available information on the following:

- (A) The procedures utilized in arriving at decisions regarding the accreditation status of a school.
- (B) The current accreditation status of schools and the date of the next currently scheduled review or reconsideration of accreditation.
- (C) The names and affiliations of members of its policy and decision-making bodies and the names of its principal administrative personnel,
- (D) A description of the control and type of legal organization of the association.
- (E) Advance notice of proposed or revised standards to all schools affected by its accreditation process and adequate opportunity to comment on such standards prior to their adoption.
- (F) Written procedures for the review of complaints pertaining to school quality, as these relate to the association's standards, and adequate procedures to provide timely treatment of such complaints in a manner that is fair and equitable to the school.

(7) **Assurance of systematic process in accrediting procedures**

The association must assure a systematic process in its accrediting procedures, as demonstrated in part by:

- (A) Affording initial evaluation of a school only when the chief executive officer of the school applies for accreditation of the school.
- (B) Providing for adequate discussion during an on-site visit between the visiting team and the faculty, administrative staff, students, and other appropriate persons.
- (C) Furnishing, as a result of an evaluation visit, a written report to the school commenting on areas of strengths, areas needing improvement, and when appropriate, suggesting means of improvement including specific areas, if any, where the school may not be in compliance with the association's standards; filing a copy of the written report with the accrediting association; and taking action on the report.
- (D) Providing the chief executive officer of the school with an opportunity to comment upon the written report and to file supplemental materials pertinent to the facts and conclusions in the written report of the visiting team before the accrediting association takes action on the report.
- (E) Evaluating the report of the visiting team.
- (F) Providing for the withdrawal of accreditation only for just cause, after review, or when the school does not permit reevaluation after due notice.

- (G) Providing the chief executive officer of the school with a specific statement of reasons for any adverse accrediting action and notice of the right to appeal such action.
- (H) Establishing and implementing published rules of procedure regarding appeals which will provide for:
 - (i) No change in the accreditation status of the school pending disposition of appeal;
 - (ii) Right of the school to a hearing before the appeal body; and
 - (iii) Supplying the chief executive officer of the school with a written decision of the appeal body, including a statement of specifics.
- (8) **Ethical and nondiscriminatory practices**
The association has demonstrated capability and willingness to foster ethical practices among the schools which it accredits, as well as nondiscriminatory practices in admissions and employment.
- (9) **Program of evaluation**
 - (A) The association maintains a program of evaluation of its educational standards designed to assess their validity and reliability.
 - (B) The association secures sufficient qualitative and quantitative information regarding the school which shows an ongoing program of evaluation of results consistent with the educational goals of the school and applicable state requirements.
 - (C) The association accredits only those schools which meet its published standards, and demonstrates that its standards, policies, and procedures are fairly applied and that its evaluations are conducted and decisions rendered
 - (D) The association periodically reevaluates each school which it has accredited. **(96)**

PROFESSIONAL DEVELOPMENT

OAC 210:20-19-2. Professional Development Program

- (a) The local board of education shall be responsible for the organization and implementation of the local professional development program.
- (b) The professional development program shall focus on developing competencies in the core curriculum areas.
- (c) Each adopted plan shall address:
 - (1) A component in outreach to parents, guardians or custodians of students is defined as a program to promote the participation of parents in the education of their children. The component in outreach to parents, guardians or custodians of students includes:
 - (A) Understanding the value of parental participation in the educational process.
 - (B) Developing awareness of the needs and characteristics of their parent population in order to plan effective outreach activities.
 - (C) Developing methods for communicating with parents, designing parental involvement activities, and determining the effectiveness of the outreach program.
 - (D) Identifying appropriate resources to support and/or supplement the outreach program.
 - (2) A component in racial and ethnic education is defined as a program to assist teachers to function effectively with all students in a culturally diverse society. The component in racial and ethnic education includes:

- (A) Understanding their own and their students' environment and culture, including--but not limited to--needs, abilities, attitudes, and world views.
- (B) Recognizing that different cultures exist as separate and distinct entities; acknowledging the contribution of all cultural and linguistic groups to society; and promoting a culturally sensitive curriculum representative of our diverse national population.
- (C) Developing strategies for the integration of cultural and linguistic teaching tools and methods in the school environment.

OAC 210:20-19-3. Professional development program management

- (a) Professional development points shall not be given for a routine job-related assignment.
- (b) The local professional development committee shall develop and recommend to the local board of education a professional development point system to account for all professional development activities.
- (c) All certified and licensed teachers and administrators shall accrue at least seventy-five (75) professional development points within a five (5) year period with at least some points completed each year. The five (5) year period for accruing points begins on an individual's date of employment in an accredited school in Oklahoma. If an individual changes school districts within the five (5) year period, the points accrued are transferred to the receiving district and the five (5) year period continues.
 - (1) If an individual is employed full time for 120 days or more, the local professional development points requirement must be fulfilled.
 - (2) A person employed one-half time or less shall be required by the local district to meet at least half of the local district's annual point requirements, not less than two (2) points, and to count such year toward the accrual of seventy-five (75) professional development points over a five year period.
 - (3) If employed less than 120 days, a minimum of two (2) professional development points are required to fulfill the regulation of "some points completed each year." This person shall begin or continue his or her professional development five-year cycle the following July 1. The local professional development committee will recommend, subject to the approval of the local board of education, the number of points required of such an employee.
 - (4) Points shall conform to the conditions specified in subparagraphs (A) through (D) of this paragraph:
 - (A) One point shall be equivalent to one clock hour of professional development activities.
 - (B) One semester hour of approved college credit shall be equivalent to 15 professional development points.
 - (C) Those professional development activities which cannot be appropriately specified by a particular time period shall be assigned a point value by the local professional development committee and recommended to the local board of education.
 - (D) Each local professional development committee shall include within the local professional development program a timeframe based on the fiscal year, July 1 - June 30, for completion of earned professional development points during a given school year.
- (d) The district shall maintain in the personnel file of each certified and licensed teacher and administrator those records deemed necessary to fully document their participation in the professional development program.

- (e) School districts shall annually inform certified and licensed teachers and administrators in writing of their point status on a date recommended by the local professional development committee. **(06)**

70 O.S. § 1-109(B), (C), (I)

B. ~~Not~~ A school district may not count more than thirty (30) hours each school year ~~may be~~ that are used for attendance of professional meetings ~~and teachers~~ toward the one hundred eighty (180) days or one thousand eighty (1,080) hours of classroom instruction time required in subsection A of this section.

C. Teachers off contract with an employing district shall not be required by the employing school district to attend professional meetings unless the teacher is paid additional compensation for the additional time. Teachers may be paid additional compensation for attending professional meetings in excess thereof, ~~under conditions hereinafter outlined~~ of their contract term. Subject to district board of education policy or collective bargaining agreement, additional paid professional ~~leave~~ days may be granted for individual teachers to attend or participate in professional meetings, staff development training, or National Board certification portfolio development as provided for in [Section 6-204.2](#) of this title

J. Nothing in this section shall be construed as affecting the right of an employing school district to require teachers as defined in [Section 6-101.3](#) of this title to work in excess of the one thousand eighty (1,080) hours required for student instruction. In addition, nothing in this section shall be construed to affect the Fair Labor Standards Act status of any school district employee.

(13)

OAC 210:20-19-4. Local Professional development committee; appointment of members, composition, duties and responsibilities

- (a) The membership of the local professional development committee shall be headed by a chairperson to be elected by the full committee.
- (b) Local board of education policies shall not be inconsistent with the law or rules and regulations of the State Board of Education.
- (c) Annually submit a report to the State Department of Education.
- (d) When it becomes necessary to amend the professional development program, the local professional development committee shall develop and recommend such amendment(s) to the local board of education for approval. **(06)**

OAC 210:20-19-5. Professional development for renewal of a valid Standard Teaching Certificate for nonemployed teachers or administrators

- (a) A teacher or administrator who is not employed as a teacher or administrator and holds a valid Oklahoma Standard Teaching Certificate may satisfy requirements for renewal of the Standard Teaching Certificate by completing seventy-five (75) points in professional development programs, conferences and seminars approved by a public school district.
- (b) A combination of professional development points, higher education credits and/or teaching experience may also be used for renewal of a valid standard teaching certificate.
- (c) Exact combinations of professional development points, college credit hours and years of teaching experience will be determined by the Teacher Certification Section of the State Department of Education.
- (d) The programs, conferences or seminars should relate to effective instruction.
- (e) Any fees collected shall be used for professional development purposes.

- (f) A local district may require prior approval for attending a professional development program, conference or seminar.
- (g) It is the responsibility of the individual seeking certification renewal to obtain and follow the local district procedures for receiving professional development points.
- (h) Upon completion of a professional development program, conference or seminar, the local professional development committee shall issue to the individual seeking certification renewal a professional development attendance form which includes:
 - (1) Local school district name,
 - (2) Title of the professional development program, conference or seminar,
 - (3) Date of attendance,
 - (4) Number of professional development points earned, and
 - (5) Signature of the local professional development coordinator or chairperson.
- (i) The local school district shall not be responsible for maintaining permanent professional development records of nonemployed individuals.
- (j) The individual seeking certification renewal is responsible to maintain his/her professional development attendance forms to submit to the State Department of Education.
- (k) At the time of renewal of the Standard Teaching Certificate, the individual seeking certification must submit to the Teacher Certification Section of the State Department of Education:
 - (1) Local district professional development attendance forms necessary for documentation of required number of professional development points,
 - (2) A certification renewal application and a summary sheet with the local professional development attendance forms attached.

(98)

READING SUFFICIENCY ACT

OAC 210:15-27-1. ~~Reading Sufficiency Act~~ Reading Sufficiency Plans and Summer Academy Reading Programs

(a) Each public school district will develop a district reading sufficiency plan that includes a plan for each site. The district and site reading plans ~~plan will become a part of each district's Comprehensive Local Education Plan and~~ must be updated annually and electronically submitted to and approved by the Office of Instruction of the State Department of Education as part of the requirements for receiving accreditation, provided that electronic submission and approval of annual updates to the district plan shall not be required if:

- (1) The last plan submitted by the school district was approved; and
- (2) Expenditures for the district's reading program include only expenses relating to:
 - (A) Individual and small group tutoring;
 - (B) Purchase of and training in the use of screening and assessment measures;
 - (C) Summer school programs; or
 - (D) Saturday school programs.

(b) If any expenditure for the district's reading program is deleted or changed or if any other type of expenditure for the district's reading program is implemented, the school district shall be required to submit the latest annual update for approval. Notwithstanding the provisions of (a)(1) and (2) of this Section, if a district has one or more schools that are not achieving the annual improvement goals as outlined in the Reading Sufficiency Act, or if a district has one or

more schools designated as a school in need of improvement, the district shall submit its district reading sufficiency plan for approval.

~~(b)(c)~~ Each school district and each school site shall submit to the State Department of Education the information to be used for the required Reading Sufficiency Act Annual Reading Report Card: by the Submission-submission deadline date to be determined by the Office of Instruction of the State Department of Education.

~~(e)(d)~~ Each school district will submit to the State Department of Education, the number of students in kindergarten, first, second and third grades found to be in need of remediation in reading based on screening instruments approved by the State Board of Education: by the Submission-submission deadline date to be determined by the Office of Instruction of the State Department of Education.

~~(d)(e)~~ Pursuant to the Reading Sufficiency Act, each school district which has any schools that are not achieving the required annual reading goal set forth in 70 O.S. § 1210.508B shall submit to the State Department of Education its annual improvement goals necessary to progress from the baseline established September 1, 2005, to achieving the reading goal for all third-grade students set forth at 70 O.S. 1210.508B(D). ~~by July 1, 2008.~~ These improvement goals shall be submitted to the State Board of Education: by the Submission-submission deadline date to be determined by the Office of Instruction of the State Department of Education.

~~(e)(f)~~ Contingent on the availability of appropriated funds designated for the Reading Sufficiency Act, the State Department of Education may ~~award up to \$150.00~~ allocate funds to public school districts in accordance with the provisions of 70 O.S. § 1210.508D. ~~for each currently enrolled first, second, and third grade student who is found to be in need of remediation in reading.~~

~~(f)(g)~~ Reading sufficiency funds allocated ~~under this section pursuant to subsection (e)(f) of this Section~~ must be used for expenses relating to individual and small group tutoring, purchase of and and/or development of instructional training in the use of screening assessment measures, summer ~~school~~ academy reading programs, and Saturday school programs, and any other reading program or professional development training contemplated as necessary by the districts to perform the goals of the Reading Sufficiency Act for students in the kindergarten, first, second, and third grades who have been identified by the elementary site as in need of a program of reading instruction.

~~(g)~~ Each school district with one or more school sites identified for School Improvement shall submit its district reading sufficiency plan to the State Board of Education. ~~Submission date to be determined by the Office of Instruction of the State Department of Education.~~

~~(h)~~ The district reading sufficiency plan shall be submitted to the State Board of Education if the district has any schools that are not achieving the annual improvement goals as outlined in the Reading Sufficiency Act. ~~Submission date to be determined by the Office of Instruction of the State Department of Education.~~

~~(i)~~ Contingent on the availability of appropriated funds, the State Department of Education may award up to \$400.00 to public school districts for each eligible currently enrolled student who is found not to be reading at grade level and who subsequently participates in a summer academy reading program pursuant to the Reading Sufficiency Act.

~~(j)(h)~~ Each district will submit the number of eligible students who may participate in an approved summer academy reading program based on results from an approved assessment as outlined in the Reading Sufficiency Act: by the Submission-submission deadline date to be determined by the Office of Instruction of the State Department of Education.

~~(k)~~ Reading Sufficiency funds allocated from the student count in (j) may be used for expenses relating to any approved reading programs for participating eligible students.

~~(h)~~(i) Summer academy reading programs for students shall be courses that:

- (1) provide at least four (4) weeks of tutoring a half (1/2) day each day for four days;
- (2) incorporate the content of a reading program that meets the criteria set forth in the Reading Sufficiency Act;
- (3) are taught by teachers who have successfully completed a professional development institute or program in reading as prescribed by the statutory provisions of the Reading Sufficiency Act; and
- (4) include only eligible students not reading at grade level based on results from an assessment approved by the State Board of Education.

(j) School districts observing a continuous learning calendar may request to implement a summer academy reading program on an alternative schedule throughout the extended school year (e.g., during intersession breaks) by submitting a proposed alternative summer academy reading program schedule to the State Department of Education for approval prior to the deadline established by the Office of Instruction of the State Department of Education, provided that any proposed alternative schedule must meet the requirements set forth in (i) of this Section.

~~(m)~~(k) Superintendents of districts will sign and submit an assurance statement that their reading program(s) meet the requirements of the Reading Sufficiency Act prior to receipt of funding.

(l) Upon completion of a Summer Academy Reading Program pursuant to [70 O.S. § 1210.508E](#), a student may demonstrate successful completion of the required competencies for reading necessary for promotion to fourth grade upon the student's completion of either:

- (1) A student portfolio in accordance with the criteria set forth in [210:15-27-2\(b\)\(4\)](#); or
- (2) An acceptable level of performance on an alternative reading assessment in accordance with the criteria set forth in [210:15-27-2\(b\)\(3\)\(A\)](#).

(13)

OAC 210:15-27-2. Good cause exemptions for promotion under the Reading Sufficiency Act

(a) Beginning with the 2013-2014 school year, students who score at the Unsatisfactory level on the Reading portion of the third grade criterion-referenced test(s) may only be promoted to fourth grade if the student qualifies for a good cause exemption pursuant to [70 O.S. § 1210.508C](#).

(b) Good cause exemptions shall be limited to the six (6) statutory exemptions outlined in [70 O.S. § 1210.508C](#) (K) as follows:

(1) Students with limited English proficiency may be granted a good cause exemption for promotion to the fourth grade pursuant to [70 O.S. § 1210.508C](#)(K)(1). To qualify for this exemption, the student must:

(A) Be identified as Limited-English Proficient (LEP)/English Language Learner (ELL) on a screening tool approved by the Oklahoma State Department of Education Office of Bilingual/Migrant Education and have a Language Instruction Educational Plan (LIEP) in place prior to the administration of the third grade criterion referenced test; and

(B) The student must have had less than two (2) years of instruction in an English Language Learner (ELL) program that meets the definition of a "language instruction educational program" set forth in [20 U.S.C. §7011](#).

(2) Students with disabilities who are assessed with alternate achievement standards (AAAAS) under the Oklahoma School Testing Program (OSTP) with the Oklahoma Alternative Assessment Program (OAAP) qualify for the good cause exemption

pursuant to [70 O.S. § 1210.508C\(K\)\(2\)](#). To qualify for this exemption, the student must meet all of the following criteria:

- (A) The student must be identified as needing special education services prior to the administration of the third grade criterion referenced test;
- (B) The student must have an Individualized Education Program (IEP) in place prior to the administration of the third grade criterion referenced test; and
- (C) The student's IEP must direct that the student is to be assessed with alternate achievement standards through the Oklahoma Alternative Assessment Program (OAAP) based upon the OSDE Criteria Checklist for Assessing Students with Disabilities on State Assessments.

(3) Students who demonstrate an acceptable level of performance on an alternative standardized reading assessment may be granted a good cause exemption for promotion to the fourth grade pursuant to [70 O.S. § 1210.508C\(K\)\(3\)](#). To promote a student using an alternative standardized reading assessment, the following criteria shall apply:

(A) The student must score an acceptable level of performance on an approved alternative standardized reading assessment. The following are approved alternative standardized reading assessments that may be used to justify a good cause promotion pursuant to [70 O.S. § 1210.508C\(K\)\(3\)](#). The listed score constitutes an acceptable level of performance, and the student must score at or above the following percentiles:

- (i) Stanford Achievement Test, Tenth Edition, (SAT 10) - 45th Percentile
- (ii) Iowa Test of Basic Skills (ITBS) Complete Battery Form A, C or E, Level 9, Reading Comprehension - 45th Percentile
- (iii) Iowa Test of Basic Skills (ITBS) Core Battery, Form A, C, or E, Level 9, Reading Comprehension - 45th Percentile
- (iv) TerraNova, Third Edition Complete Battery Level 13, Reading - 45th Percentile

(B) Alternative standardized reading assessments may only be administered following the administration of the Reading portion of the third grade criterion-referenced test(s). The spring test form of the exam shall be administered.

(C) An approved alternative standardized reading assessment may be administered at any time prior to the start of the next academic year, if there are at least ~~thirty (30)~~ twenty (20) calendar days between administrations and different test forms are administered.

(4) Students who can demonstrate evidence through a student portfolio that the student has mastered state standards beyond the retention level and that the student is reading on grade level or higher may be granted a good cause exemption pursuant to [70 O.S. § 1210.508C\(K\)\(4\)](#). To promote a student through the use of a student portfolio, the following criteria shall apply:

(A) The student portfolio shall include evidence demonstrating the student's mastery of the Oklahoma state standards in reading equal to grade level performance on the Reading portion of the statewide third grade criterion-referenced test(s). Such evidence shall be documented through an organized collection of work representing the student's mastery of such standards, including a demonstration of mastery of all of the following essential components of reading:

- (i) Phonological awareness;

- (ii) Phonics (i.e., The student demonstrates awareness of letter-sound correspondence for consonants, vowels, and consonant diagraphs, syllable types, and two to three syllable words);
- (iii) Vocabulary (i.e., The student demonstrates ability to determine the meaning of general academic-specific and domain-specific words and phrases in a text relevant to a grade three topic or subject area);
- (iv) Automaticity/Fluency (i.e., The student demonstrates timed letter and word identification, sight words, modeled paragraph reading);
- (v) Comprehension (i.e., The student demonstrates ability to read and comprehend informational text independently and proficiently); and
- (vi) Spelling/Writing (i.e., The student demonstrates proficiency in spelling and writing through spelling tests and writing samples).

(B) The student portfolio shall include clear evidence that the standards assessed by the Reading portion of the statewide third grade criterion-referenced test(s) have been met. Clear evidence must include multiple choice items and passages that are 50% literary text and 50% expository text that are between 200-600 words, with an average of 350 words. Such evidence could consist of:

- (i) Chapter or unit tests from the district's adopted core reading curriculum that are aligned with the Oklahoma State Standards; or
- (ii) Teacher-prepared assessments.

(C) Each standard and objective assessed by the Reading portion of the third grade criterion-referenced test(s) must include a minimum of four (4) work samples of mastery whereby the student attained a grade of 70% or above. Demonstrating mastery of each objective for each standard is required.

(D) The student portfolio shall include copies of the screening assessments and benchmark/progress monitoring assessments administered pursuant to [70 O.S. § 1210.508C](#)(B) and (C), as well as a copy of the student's Academic Progress Plan.

(E) The student portfolio shall be signed by the certified classroom teacher responsible for the student's Reading instruction and the principal of the school, attesting that:

- (i) The portfolio is an accurate assessment of the student's reading achievement level;
- (ii) The portfolio includes only work that has been independently produced by the student in the third grade, including programs of reading instruction provided after regular school hours, on Saturdays, and during the summer following the student's third grade year; and
- (iii) The student possesses required reading skills to be promoted to fourth grade.

(5) Students with disabilities who participate in the statewide criterion-referenced test and have an IEP may qualify for a good cause exemption pursuant to [70 O.S. § 1210.508C](#)(K)(5). To qualify for this exemption, the student must meet the following criteria:

(A) The student must have been previously retained in kindergarten, first grade, second grade, or third grade; and

(B) The student's IEP must:

- (i) Identify Reading as an area of education need for the student or identify some type of special education service in the area of Reading; and

(ii) Reflect that the student has received intensive remediation for more than two (2) years. Intensive remediation may include any type of program offering intensive reading instruction that is identified as appropriate by the IEP team.

(6) Students who demonstrate a reading deficiency and have been previously retained may qualify for a good cause exemption pursuant to [70 O.S. § 1210.508C\(K\)\(6\)](#). To qualify for this exemption, the student must meet the following criteria:

(A) The student must have been previously retained in kindergarten, first grade, second grade, or third grade for a total of two (2) years; and

(B) The student must have received intensive reading instruction for two (2) or more years.

(c) Each student completion of a transitional grade between kindergarten and third grade shall be considered a previous retention for purposes of [70 O.S. § 1210.508C\(K\)](#). A transitional grade consists of subject area curriculum selected from two consecutive grade levels to provide differentiated instruction needed for a student to master appropriate skills required for promotion.

(d) Documentation shall be maintained in the student record of any student promoted on the basis of a good cause exemption listed in [70 O.S. § 1210.508C\(K\)](#). Documentation shall include the student's criterion-referenced test score and any documentation relied upon to grant a good cause exemption or exemption pursuant to (b) of this Section.

(e) Any student promoted on the basis of a good cause exemption listed in [70 O.S. § 1210.508C\(K\)](#) should continue to receive intensive reading instruction and intensive instructional services and supports through the continued implementation of an Academic Progress Plan (APP) to remedy the reading deficiency.

(f) Each student's APP required under this section shall be documented on a form approved by the Office of Instruction of the State Department of Education, and shall include, but not be limited to, the following information:

(1) Identification of assessments used for diagnostic purposes and periodic monitoring;

(2) The results of the assessment(s) used to identify the reading deficiency;

(3) A list of the developmental reading skill areas targeted for improvement (i.e., comprehension, phonics, phonological awareness, spelling, reading fluency, or vocabulary);

(4) A description of the supplemental and/or remedial services and supports provided to the student in accordance with the provisions of [70 O.S. § 1210.508C\(N\)\(2\)](#);

(5) A description of parental involvement strategies; and

(6) Identification of any collaborative services provided to the child in order to facilitate the APP (i.e., Title I, IDEA, ELL/Title III).

(g) For purposes of the Reading Sufficiency Act, a "program of reading instruction" shall be based upon a three-tiered Response to Intervention ("RtI") model, and shall include:

(1) For students identified for Tier I intervention, a minimum of ninety (90) minutes of uninterrupted daily scientific-research-based reading instruction;

(2) For students identified for Tier II intervention, at least thirty (30) to forty-five (45) minutes of additional uninterrupted daily scientific-research-based reading instruction in addition to the ninety (90) minutes of uninterrupted daily reading instruction provided under Tier I; and

(3) For students identified for Tier III intervention, at least forty-five (45) to sixty (60) minutes of additional uninterrupted daily scientific-research-based reading instruction in addition to the ninety (90) minutes of uninterrupted daily reading instruction provided under Tier I.

(14)

OAC 210:15-27-3. Standards for mid-year promotion of retained third graders

(a) District school boards of education shall adopt and implement a policy for the mid-year promotion of any student retained in third grade due to a reading deficiency as required by [70 O.S. § 1210.508C](#). Such mid-year promotions of retained third grade students must occur during the first semester of the academic year, and must occur prior to November 1 of that academic year.

(b) To be eligible for mid-year promotion, a student must demonstrate by reasonable expectation that he or she:

- (1) Is a successful and independent reader as demonstrated by reading at or above grade level;
- (2) Has progressed sufficiently to master appropriate fourth grade reading skills; and
- (3) Has met any additional requirements, such as satisfactory achievement in other curriculum areas, as determined by the policies of the district school board.

(c) Standards that provide a reasonable expectation that the student has met the requirements of ~~section (b) of this rule~~ Section include demonstrating a level of proficiency required to score above the Unsatisfactory level on the Grade 3 criterion referenced test(s) and mastery of reading skills, consistent with the month of promotion to fourth grade, as presented in the scope and sequence of the school district's core reading program. Evidence of demonstrated mastery shall be shown by the following:

- (1) Successful completion of portfolio elements that meet state criteria in ~~subsection (d) of this rule~~ Section; or
- (2) Satisfactory performance on a subsequent alternative standardized assessment as specified in ~~section (e) of this rule~~ Section.

(d) To promote a student mid-year using a student portfolio as provided for in ~~paragraph (c)(1) of this rule~~ Section, there must be evidence of the student demonstrating a level of proficiency required to score above the Unsatisfactory level on the Oklahoma state standards as assessed by the Reading portion of the Grade 3 criterion-referenced test(s), and mastery of the Oklahoma state standards as assessed by the Reading portion of the Grade 4 criterion-referenced test(s), as specified in ~~section (b) of this rule~~ Section. The student portfolio must meet the following requirements:

- (1) Consist only of work selected by the ~~student's Reading~~ certified classroom teacher responsible for the student's Reading instruction;
- (2) Be an accurate representation of the student's reading achievement level, and only include work that has been independently produced by the student in the classroom of the ~~student's Reading~~ certified classroom teacher responsible for the student's Reading instruction;
- (3) Include evidence demonstrating a level of proficiency required to score above the Unsatisfactory level on the standards assessed by the Reading portion of the Grade 3 criterion-referenced test(s) by meeting all requirements set forth in ~~210:15-27-2(d)~~ 210:15-27-2(b)(4);
- (4) Include evidence of beginning mastery of fourth grade state standards that are assessed by the Grade 4 Reading portion of the criterion-referenced test(s). Clear evidence must include multiple choice items and passages that are 50% literary text and 50% expository text that are between 200-600 words, with an average of 350 words. Such evidence could consist of:
 - (A) Chapter or unit tests from the district's adopted core reading curriculum that are aligned with the Oklahoma State Standards; or

(B) Teacher-prepared assessments;

(5) Each standard and objective assessed by the Grade 4 Reading portion of the criterion referenced test(s) must include a minimum of three (3) work samples of mastery whereby the student attained a grade of 70% or above. Demonstrating mastery of each objective for each standard is required; and

(6) Be signed by the Reading certified classroom teacher responsible for the student's reading instruction and the principal of the school, both attesting that the portfolio is an accurate assessment of the student's ability and that the student possesses the required reading skills to be promoted to fourth grade.

(e) To promote a student mid-year using an alternative standardized assessment as provided for in ~~sub-section~~ (c)(2) of this ~~rule~~ Section, there must be evidence that the student scored at or above grade level on the reading portion of an alternative standardized reading assessment listed in OAC 210:15-27-2(c)(1) 210:15-27-2(b)(3)(A), as demonstrated by standard scores or percentiles consistent with the month of promotion to the fourth grade. Alternative assessments administered for the purpose of determining a student's eligibility for mid-year promotion must also comply with the requirements of 210:15-27-2(b)(3)(B)-(C) and the school district's policy for mid-year promotion, provided that alternative assessments administered for this purpose may be administered until November 1 of the school year.

(f) The Academic Progress Plan (APP) for any retained third grade student who has been promoted mid-year to fourth grade must continue to be implemented for the entire academic year.

(g) A mid-year promotion shall only occur upon agreement of the parent or legal guardian of the student, and the principal of the school. Such decision should be made in consultation with the student's third and fourth grade teachers. **(14)**

TRANSPORTATION

OAC 210:30-5-1. District administration, operation and management of transportationThe local superintendent and board of education shall be held responsible for applying these regulations to all pupil transportation under their administration and supervision. In keeping with this responsibility, each local board of education shall examine and periodically review the school district's bus fleet liability insurance coverage and its tort liability insurance coverage to assure such coverages are coordinated to protect the interest of the students, general public, and school district. Any school district maintaining a school may provide transportation with the approval of the State Board of Education.

OAC 210:30-5-2. Procedures for resolution of transportation disputes

Pursuant to 70 O.S. § 9-105, state aid shall be withheld from any school district in the state that fails or refuses to comply with the law or rules of the State Board of Education regarding transportation. The following hearing procedures will be utilized in hearings to determine the validity of transportation complaints.

- (1) Upon receipt of a written complaint and hearing request alleging specific violations of law or State Board of Education rules regarding school transportation, the State Superintendent shall appoint an Administrative Law Judge (ALJ) to conduct a hearing to determine the validity of the complaint.
- (2) Within five (5) days of appointment, the ALJ shall notify the school districts who are parties to the complaint in writing of the time, date and location of the hearing.

- (3) Each school district that is a party to the complaint will be given an opportunity to present the following:
 - (A) Evidence supporting the allegations in the complaint, and
 - (B) Defenses to the allegations contained in the complaint.
- (4) Evidence may be received in written form or by oral testimony of witnesses.
- (5) Hearings will be electronically recorded.
- (6) The ALJ shall, upon receiving the evidence, determine whether the allegations contained in the complaint are true and shall make findings and conclusions. If the ALJ determines, by a preponderance of the evidence, that there has been a violation of law or rule, he/she shall recommend withholding of state aid from the district found to be in violation.
- (7) The findings, conclusions and recommendations of the ALJ shall be presented to and considered by the State Board of Education at its next regularly scheduled meeting unless it is determined by the State Superintendent that, due to extraordinary circumstances, a different timeframe is required.
- (8) No additional evidence may be presented to the State Board of Education.
- (9) ALJs will be paid by the nonprevailing school district at a rate of fifty dollars (\$50) per hour, not to exceed three hundred dollars (\$300).
- (10) The State Board of Education will confine its review to the written findings, conclusions and recommendations of the ALJ and, unless the Board determines that the ALJ's findings and conclusions are clearly erroneous, shall adopt such findings and conclusions. If the Board finds the ALJ's decision is clearly erroneous, the Board may remand the matter to the ALJ with instructions on how to proceed.
- (11) The State Board of Education shall determine the amount of state aid to be withheld from the school district found to be in violation of the law or rule on school transportation. The State Superintendent shall notify the district by certified mail, return receipt requested.
- (12) Following notification to the school district, the State Department of Education shall withhold state aid payments to the district in accordance with the State Board of Education decision.

(06)

OAC 210:30-5-3. Transportation of students

(a) A student must live in a school district authorized by law to furnish transportation.

(b) A student must live one and one-half (1 1/2) miles or more by commonly traveled road from the school attended. Students living less than one and one-half (1 1/2) miles from school may be transported, but shall not be counted in determining state aid.

(c) A normal school day consists of not less than six (6) hours, exclusive of lunch period, with the exception of the first and kindergarten grades. Transportation may be provided for kindergarten age students to and from school during the normally scheduled morning and evening bus operation. Districts desiring to provide additional transportation for kindergarten students at midday may do so at local district expense but it is not required.

(d) The local school district is responsible for providing transportation for those students with disabilities identified under the [Individuals with Disabilities Education Act \(IDEA\)](#) for whom transportation has been identified as "related service" necessary to enable the students to receive the educational services outlined in their Individualized Education Programs (IEPs).

(e) Students living in a school district not offering the grade which they are entitled to pursue are entitled to transportation to a school authorized by law to provide transportation to and from school provided they have been legally transferred and reside in the high school transportation area of the school they choose to attend. (13)

OAC 210:30-5-4. Transportation for school activities

All Oklahoma school districts shall develop policies and procedures authorizing transportation for extracurricular activities and community involvement purposes as authorized by 70 O.S. § 5-130. (13)

OAC 210:30-5-5. Transportation routes and boundaries

(a) Evaluation. All school bus routes shall be evaluated annually for safety and efficiency by the local school district supervisor of transportation or designee.

(b) Boundaries.

(1) A change in transportation area made after July 1 of each year, will not become effective until the next July 1, unless all boards of education affected agree to the proposed change.

(2) An elementary area that has been assigned to a high school transportation area may be changed to another high school transportation area by mutual agreement, in writing, by the three (3) boards of education affected and the approval of the State Board of Education.

(3) A part or all of an elementary school district that is isolated from the remainder of the school district's transportation area because of topography or previous annexations to another high school district may be changed from one high school district's transportation area to another high school district's transportation area if the State Board of Education determines the change should be made on the basis of good administration.

(4) When an elementary school district is surrounded by an independent school district, that district must be designated as the transportation area for the high school students.

(5) An independent school district's transportation route may extend into an elementary school district's territory to pick up students whose grade is not offered in the elementary school district.

(6) Upon mutual agreement of two (2) school districts, a school district may cross a portion of another district provided the doors of the school bus are kept closed.

(c) Petition for changing boundary lines.

(1) Seventy percent (70%) of the legal voters residing in a district who have children eligible to attend a public school (grades K through 12) or who have children under the age of five (5) may petition the State Board of Education for an election to change any part or all of a district from one transportation area to another.

(2) The State Board of Education will approve a convenient date for an election, supply ballots, and send a representative to assist with the election.

(3) If fifty-one percent (51%) of all such legal voters in the district vote for the change, the election makes a good recommendation to the State Board of Education.

(d) Changing areas, high school districts discontinued. High school districts and/or elementary school districts that must be placed in one or more high school transportation area or areas because a high school has been discontinued may be placed in a transportation area or areas on the following basis:

(1) All or part of District "A" may be placed in the transportation area of high school District "B", the transportation area of which is not adjacent to District "A", provided high school District "C", which has a transportation area that separates District "A" from District "B" transportation area, appears to be in jeopardy of being discontinued itself, and provided the number of people in District "A", who want to be placed in the transportation area of District "B", justifies such an arrangement. People in District "A" requesting these arrangements to enable them to annex to District "B" will be given much more consideration than those desiring to transfer only.

(2) No portion of a school district that is adjacent to a high school district's transportation area, but is separated from the high school area by a natural barrier, will be placed in the high school district's transportation area unless or until there is a road connecting the two (2) areas that is maintained in a manner that will justify the operation of a school bus over the road across the barrier. (13)

OAC 210:30-5-6. School buses

(a) Equipment.

(1) Transportation equipment used to transport ten (10) or more public school children at one time shall meet all the minimum standards required for Types A, B, C, and D buses.

(2) Vehicles having a seating capacity of fewer than ten (10) passengers, excluding the operator, are not required to meet the State minimum standards for school buses.

(b) School bus inspections.

(1) A driver shall perform a daily pre-trip safety inspection of the vehicle. The inspection shall include brakes, lights, tires, exhaust system, gauges, windshield wipers, steering and fuel. The driver shall make a daily written report describing the condition of the bus and listing any deficiencies. This report is to remain on file with the chief administrative officer of the local school district or designee of the chief administrative officer for a period of ninety (90) days.

(2) A driver shall perform a daily post-trip inspection of the interior passenger area of the vehicle to ensure that no pupils remain on the vehicle after the end of the route.

(3) A school district shall have each school bus mechanically inspected annually by an inspector approved by the Oklahoma State Department of Education.

(4) At least twice during each school year, each pupil who is transported in a school vehicle shall be instructed in safe riding practices, and participate in emergency evacuation drills. This instruction should be conducted during the first two weeks of each semester.

(c) School bus inspector qualifications.

(1) Any person licensed to inspect school buses by the Department of Public Safety under the Motor Vehicle Laws of Oklahoma prior to July 1, 2001, may be qualified to perform annual school bus inspections until July 1, 2014.

(2) Any person not meeting the qualifications as prescribed in (1) of this subsection may be qualified to perform the annual school bus inspection by submitting proof to the Oklahoma State Department of Education that they meet one or more of the following qualifications:

(A) Two years' experience as an automotive technician and certification by the Association for Automotive Service Excellence (ASE) in medium-heavy truck brake, transit bus brake, school bus brake, medium-heavy truck preventive maintenance inspection, or transit bus preventive maintenance inspection; or

(B) Any person qualified to perform inspections under the Federal Motor Carrier Safety Act, appendix G. and accompanying regulations at [49 CFR 396.19](#) will be qualified to inspect any school bus except for the brakes. Persons qualified to inspect

brakes under 49 CFR 396.25 shall be qualified to inspect the brakes on any school bus;
or

(C) Successful completion of an Inspector's Training Course approved by the Oklahoma State Department of Education.

(d) Standards and school bus specifications.

(1) The NATIONAL MINIMUM STANDARDS FOR SCHOOL BUSES applies to school bus construction and equipment. The Oklahoma State Board of Education has accepted the various methods bus manufacturers use to meet the requirements of these standards and all requirements under the Federal Motor Vehicle Safety Standards. (P.L. 89-563) The responsibility for compliance with Federal and State bus specifications rests with dealers and manufacturers.

(2) State Standards in addition to Federal requirements also apply as follows:

(A) No school district may purchase any used or previously owned school bus unless the seller certifies prior to the sale that the bus meets all safety standards and specifications for the date of manufacture of the used bus. Any school district that purchases a used or previously owned bus without the certification regarding compliance with standards shall forfeit its state transportation aid. The seller of any used or previously owned school bus shall certify to the local board of education that any such transportation equipment meets all Oklahoma and National Standards required for the date of its manufacture.

(B) Church buses used for the purpose of transporting children to and from schools accredited by the State Department of Education shall be painted National School Bus Yellow.

(3) School districts that convert or have converted school buses to Liquefied Petroleum Gas (LPG) shall comply with safety standards prescribed by the National Fire Protection Association, Standard No. 58 (NFPA-58) and the Oklahoma Liquefied Petroleum Gas Administration. In order to ensure safe installation and proper maintenance of equipment, all personnel must also meet the following existing requirements of the Oklahoma Liquefied Petroleum Gas Administration: "No person, firm, corporation, association, or other entity shall engage in the manufacturing, assembling, fabrication, installing, or selling of any system, container, or apparatus to be used in this State in or for the transportation, storing, dispensing, or utilization of LPG, nor shall any transporter, distributor, or retailer of LPG store, dispense and/or transport over the highways of this State any LPG for use in this State in any system, container, apparatus, or appliance without having first obtained a permit to do so as provided..."

(13)

OAC 210:30-5-7. Transportation of students with disabilities

(a) Loading responsibility. The local school district is responsible for transporting children with disabilities whose IEPs require transportation by the school district as a "related service". This responsibility for transportation begins from the time the student is loaded at the "home curb" until returned and unloaded at the "home curb". The parent or their designee is responsible for "door-to-curb", "curb-to-door", and "street crossing" of the child to the designated loading and unloading point.

(b) Extended boundaries. Based upon mutual agreement between two participating school districts, a school district offering special education classes may extend its transportation program to include the transportation of students qualifying for special education in an adjacent school district which does not offer special education classes.

(13)

OAC 210:30-5-8. School bus driver certification

(a) General criteria.

(1) Pursuant to the authority granted to the State Board of Education in 70 O.S. § 3-104(6) to regulate school bus drivers and 47 O.S. § 15-109, no board of education shall have authority to enter into any written contract with a school bus driver who does not hold a valid Oklahoma School Bus Driver's Certificate issued by the State Board of Education authorizing said bus driver to operate a school bus within the State of Oklahoma.

(2) In order to obtain and maintain a standard Oklahoma School Bus Driver's Certificate, the State Board of Education requires all public school bus drivers to:

(A) Successfully complete a school bus driver training course approved by the State Department of Education;

(B) Possess and maintain a valid Commercial Driver's License (CDL) issued by the Oklahoma State Department of Public Safety, which includes the following endorsements required by 47 O.S. § 6-110.1 in accordance with the qualifications determined by the Department of Public Safety:

(i) A school bus "S" endorsement; and

(ii) For drivers of vehicles designed to transport sixteen (16) or more passengers (including the driver), a passenger "P" endorsement; and

(C) Comply with all other health and safety qualifications set forth in this Section.

(3) The State Board of Education recognizes the substantial public interest in safe school bus transportation of children. Therefore, in addition to meeting the vision standards required to obtain a CDL from the Department of Public Safety, in order to obtain a standard or emergency Oklahoma School Bus Driver's Certificate, all school bus drivers must have:

(A) A visual acuity of not less than twenty-fourty (20/40) (Snellen) in each eye with or without corrective lenses; and

(B) Not less than twenty-fourty (20/40) (Snellen) with both eyes with or without corrective lenses; and

(C) A minimum field of vision of 70 degrees horizontal median vision in each eye.

(4) The use of tobacco by a school bus driver is not permitted during the operation of the bus while hauling pupils. The use of any intoxicating or non-intoxicating alcoholic beverage by the driver eight (8) hours prior to or during the operation of a school bus is strictly prohibited. The use of any controlled dangerous substance seventy-two (72) hours prior to or during the operation of a school bus is strictly prohibited. The possession of any controlled dangerous substance on a school bus is strictly prohibited.

(5) All school bus drivers shall have an annual health certificate signed by a physician licensed by this state filed in the office of the chief administrative officer of the local school district or designee of the chief administrative officer attesting that such physician has examined the applicant and that the applicant has no sign or symptoms of ill health, and is otherwise, from the observation of such physician, physically and mentally capable of safely operating a school bus. As an alternative to the annual physical examination requirements for school bus drivers, school districts may adopt a policy that utilizes a biannual physical examination, provided the examination is in compliance with the physical qualifications and examination requirements at [Subpart E of the Federal Motor Carrier Safety Regulations](#), 49 CFR §§ 391.41 to 391.50.

(6) Substitute and activity school bus drivers shall meet all the requirements prescribed for regular bus drivers.

(7) At a minimum, the chief administrative officer of the local school district or designee of the chief administrative officer shall conduct an annual driving record check of all school

bus drivers, including substitute and activity drivers. The Oklahoma State Department of Education shall be immediately notified of any violation(s) that make a school bus driver ineligible to hold an Oklahoma School Bus Driver's Certificate.

(8) The State Board of Education shall revoke the bus driver's certificate of any holder who fails to comply with the provisions of this Section.

(9) School districts who fail to comply with the provisions of this section shall be subject to penalty pursuant to 210:30-5-2.

(b) School bus driver certificate requirements.

(1) The chief administrative officer of the local school district or designee of the chief administrative officer shall certify to the State Department of Education that each applicant submitted for Standard Five-Year Certification:

(A) Is at least 18 years of age;

(B) Has successfully completed a special school bus drivers' course approved by the State Department of Education;

(C) Holds a valid Commercial Drivers license (CDL) appropriate for the type of vehicle driven with the proper endorsements required by the Department of Public Safety;

(D) Has not been convicted of a felony, or pled guilty or nolo contendere to a felony during the last ten years; and

(E) Has passed a driving record check, and no certificate shall be issued to any person who, within the preceding three (3) years:

(i) Has had a license suspended or revoked, canceled or withdrawn pursuant to the Implied Consent Laws at [47 O.S. § 751](#) et seq.;

(ii) Has a conviction for a violation of [47 O.S. § 11-902](#) which includes driving, operating or being in actual physical control of a vehicle while under the influence of alcohol or any intoxicating drug;

(iii) Has been convicted or plead guilty to a violation of [47 O.S. § 761](#), operating a motor vehicle while impaired by consumption of alcohol;

(iv) Has been convicted of any municipal violation of driving under the influence of alcohol or drugs or operating a motor vehicle while impaired or being in actual physical control of a motor vehicle while impaired; or

(v) Has had four (4) or more traffic violations (excluding parking violations).

(2) The chief administrative officer of the local school district or designee of the chief administrative officer shall certify to the State Department of Education that the applicant for an Emergency One-Year School Bus Driver Certificate (Not Renewable):

(A) Is at least 18 years of age;

(B) Holds a valid Commercial Drivers License with the proper endorsements required by the Department of Public Safety; and

(C) Has passed a driving record check and meets the requirements set forth in (1)(D)-(E) of this subsection.

(3) Requirements for Renewal of the Standard Five-Year Certificate include:

(A) Every five (5) years, each driver shall have successfully completed four (4) hours per year of inservice training approved by the State Department of Education;

(B) The chief administrative officer of the local school district or designee of the chief administrative officer shall certify to the State Department of Education that the applicant meets all requirements for standard certification; [[47 O.S. § 15-109](#)]

(C) Each applicant has a health certificate on file signed by a licensed physician and meets all vision requirements;

(D) Each applicant has not been convicted or pled guilty to a felony in the last ten (10) years;

(E) The applicant's driving record has been checked and meets all other State Board of Education requirements for certification; and

(F) Notwithstanding the provisions of this paragraph, in order to renew any school bus driver certificate which has been expired for more than one year, a driver must successfully complete a renewal course approved by the State Department of Education. Such a course must, at a minimum, include topics on:

- (i) Railroad crossings;
- (ii) Emergency evacuation procedures;
- (iii) Mirror placement;
- (iv) Pick-up and drop-off procedures;
- (v) Sound driving practices; and
- (vi) Accident procedures.

(4) During the period that the application for issuance of a new or renewed school bus driver certificate is pending, applicants must immediately notify the State Department of Education Transportation Section of any arrest, citation, or conviction of any disqualifying offense set forth in (1)(E) of this subsection; any moving violation; or any involvement in a traffic accident.

(c) Certification of drivers with a monocular vision condition.

(1) Individuals who wish to obtain an Oklahoma School Bus Driver's Certificate and meet all other requirements of this Section, but cannot meet the vision requirements in (a)(3) of this Section in both eyes due to the presence of a monocular vision condition, may obtain an exemption from the vision requirements of (a)(3) of this Section by providing evidence showing that Applicant is exempt from the requirements of [49 C.F.R. § 391.41](#), has fully adapted to the monocular vision condition, and is capable of safely operating a school bus for the purpose of transporting school children. Such evidence must consist of documentation for each one of the following:

(A) Documentation establishing that Applicant's vision condition has been present and unchanged for three years or more prior to the application for an exemption from the vision requirements of (a)(3) of this Section;

(B) Documentation establishing that Applicant has experience in safely operating a Commercial Motor Vehicle with the monocular vision condition within the three (3) year period immediately preceding the date of the application for an exemption from the vision requirements of (a)(3) of this Section; and

(C) One of the following:

(i) An authority letter issued by the Oklahoma State Department of Public Safety (DPS) qualifying the individual as exempt from the vision requirements of [49 C.F.R. § 391.41](#); or

(ii) A letter or waiver issued by the Federal Motor Carrier Safety Administration (FMCSA) documenting that the applicant has received a waiver from the vision requirements of [49 C.F.R. § 391.41](#).

(2) Documentation of the evidence required by (1)(A) of this subsection shall consist of documentation for each one of the following:

(A) Applicant must have been examined by a licensed ophthalmologist or optometrist within sixty (60) days prior to obtaining the Commercial Driver License and within one year of applying for the State Department of Education monocular vision exemption. Applicant must provide the State Department of Education a copy of the official Oklahoma State Department of Public Safety vision form documenting the examination. In addition, if not included on the official Oklahoma State Department of Public Safety

vision form, Applicant must submit additional documentation, in which a licensed ophthalmologist or optometrist identifies and describes:

- (i) The nature of the vision deficiency, including how long the individual has had the deficiency;
- (ii) The date of the examination;
- (iii) Whether the applicant's vision is stable;
- (iv) The visual acuity of each eye, corrected and uncorrected;
- (v) The field of vision of each eye, including central and peripheral fields, testing to at least 120 in the horizontal. (Formal perimetry is required. The doctor must submit the formal perimetry test for each eye and interpret the results in degrees of field of vision.);
- (vi) Whether the applicant has the ability to recognize the colors of traffic control signals and devices showing red, green, and amber; and
- (vii) The ophthalmologist/optometrist's medical opinion as to whether the individual has sufficient vision to perform the driving tasks required to operate a school bus.

(3) Documentation of the evidence required by (1)(B) of this subsection shall consist of each of the following:

(A) Applicant must provide documentation of experience in operating a commercial motor vehicle (as defined by [47 O.S. §§ 1-107.1, 1-107.2, or 1-107.3](#)) while the Applicant has a monocular vision condition for the three (3) year period immediately preceding the date of this application which includes the following information:

- (i) For any applicant employed as a driver of a commercial motor vehicle, the DOT # or ICC# of Applicant's employer(s); for any applicant with driving experience as an independent motor carrier, a list of names, addresses, and phone numbers of customers for whom Applicant performed transportation services through the operation of a commercial motor vehicle on public highways;
- (ii) A list of all dates (month/date/year) during the three (3) year period for which Applicant performed services driving and/or operating a commercial motor vehicle, and the number of hours driven per week; and
- (iii) A list of all types of commercial motor vehicles operated by Applicant and gross vehicle weight rating ("GVWR") of each vehicle operated by Applicant;

(B) Acceptable forms of required documentation of the Applicant's driving experience described in (3) of this paragraph may include either:

- (i) A signed, notarized statement from the individual's present or past employer(s) on company letterhead; or
- (ii) An affidavit by the Applicant.

(C) Applicant shall provide the State Department of Education with a Motor Vehicle Report demonstrating that applicant's driving record during the three (3) year period prior to the date the application is filed:

- (i) Contains no suspensions or revocations of Applicant's driver's license for the operation of any motor vehicle (including Applicant's personal vehicle);
- (ii) Contains no record of involvement in an accident involving negligence attributable to the monocular vision condition;
- (iii) Contains no record of a serious traffic offense attributable to the monocular vision condition (e.g., erratic unsafe lane changes, following too closely, etc.)

(4) Individuals who receive the vision exemption to drive a bus for an accredited school in Oklahoma must submit to their employer a copy of the documentation required by (1)(C) of this subsection.

(d) Certification of drivers with insulin-dependent diabetes mellitus.

(1) Any person with diabetes mellitus requiring insulin by injection shall not be eligible for a school bus certificate unless the individual meets all other requirements of (a) and (b) of this Section, and the individual possesses and maintains either:

(A) An authority letter issued by the Oklahoma State Department of Public Safety (DPS) qualifying the individual as exempt from the physical requirements of [49 C.F.R. § 391.41](#); or

(B) A letter or waiver issued by the Federal Motor Carrier Safety Administration (FMCSA) documenting that the applicant has received a waiver from the physical requirements of [49 C.F.R. § 391.41](#).

(2) Upon hire, exempted individuals will be required to agree to and comply with the following conditions:

(A) Blood glucose levels shall be self-monitored one (1) hour prior to driving and at least once every four (4) hours while driving a school bus or on duty by using a portable glucose monitoring device with a computerized memory, and take corrective action if necessary;

(B) The individual shall maintain blood glucose logs, three months from the current date (or the date that insulin use began, whichever is shorter).

(i) If the employing district has cause to require a medical evaluation as authorized by (5) of this subsection, logs maintained pursuant to this subsection must be provided to the Oklahoma board certified medical doctor (MD) or doctor of osteopathy (DO) treating the individual.

(ii) Blood glucose logs must be created by an electronic blood glucose meter that stores every reading, records date and time of reading, and from which data can be downloaded and printed.

(C) The individual shall carry a source of rapidly absorbable glucose at all times while operating a school bus; and

(D) The individual shall meet the annual physical examination requirements for drivers with metabolic diseases set forth by the Department of Public Safety in [OAC 595:10-5](#).

(E) The individual shall notify the Department of Public Safety and the State Department of Education of any changes in physical or mental ailments or conditions which may cause loss of control or partial control or may otherwise render the individual incapable of properly controlling a school bus.

(3) Superintendents or their designees who hire individuals who hold a diabetes exemption certification must keep on file in a separate medical record:

(A) A current copy of the diabetes exemption certificate of the individual;

(B) The contact information of the board certified medical doctor (MD) or doctor of osteopathy (DO) who is treating the individual;

(C) Record of the annual medical certification issued by the board certified medical doctor (MD) or doctor of osteopathy (DO) pursuant to (1)(B) of this subsection; and

(D) Copies of any medical certifications obtained pursuant to (5) of this subsection.

(4) Superintendents or their designees shall not allow an individual holding a diabetes exemption certificate to drive if their blood glucose level is outside of a range of 100 mg/dl to 400 mg/dl one (1) hour prior to driving. If the individual's blood glucose level is below 100 mg/dl or above 400 mg/dl, then the driver cannot operate a school bus or transport school children as an employee of any school district until the blood glucose measure is within the target range.

(5) In the event an individual holding a diabetes exemption is involved in an incident directly caused by the individual's diabetic condition, the individual cannot operate a school bus or transport school children as an employee of any school district until the individual has been certified in writing as medically able to safely resume work related duties by the Oklahoma board certified medical doctor (MD) or doctor of osteopathy (DO) by whom they are being treated.

(13)

PART III

**Rules of the
State Board of Education**

Section B:

CURRICULUM AND INSTRUCTION

PART III, SECTION B:

CURRICULUM AND INSTRUCTION

In this section:

- **ACQUIRED IMMUNE DEFICIENCY SYNDROME (AIDS) PREVENTION EDUCATION**
- **CO-CURRICULAR AND EXTRACURRICULAR PROGRAMS AND ACTIVITIES**
- **DRIVER EDUCATION**
- **EARLY CHILDHOOD EDUCATION PROGRAMS**
- **GIFTED AND TALENTED EDUCATION REGULATIONS AND PROGRAM APPROVAL STANDARDS**
- **LIFELONG LEARNING**
 - ***PLEASE NOTE:*** The Lifelong Learning Section, including Adult Basic Education and GED Testing Services, has been transferred to the [Oklahoma Department of Career and Technology Education](#).
- **MIDDLE SCHOOL MATHEMATICS LABORATORIES FOR PUBLIC SCHOOLS WITH LOW STUDENT ACHIEVEMENT IN MATHEMATICS PROGRAM**
- **OKLAHOMA ACADEMIC SCHOLAR RECOGNITION**
- **OKLAHOMA ORGAN DONOR EDUCATION AND AWARENESS PROGRAM ACT**
- **OKLAHOMA SCHOOL ACCOUNTABILITY SYSTEM**
- **PROFICIENCY BASED PROMOTION**
- **READING PROFICIENCY ACT (8TH GRADE)**
- **STUDENT ASSESSMENT**
- **STUDENT ATTENDANCE**
- **STUDENT ENTRANCE AND PROGRESSION THROUGH THE SYSTEM**
- **SUMMER SCHOOL PROGRAMS**

ACQUIRED IMMUNE DEFICIENCY SYNDROME (AIDS): PREVENTION EDUCATION

OAC²⁵ 210:15-17-1. Purpose

The purpose of the rules in this Subchapter is to clarify the requirement that AIDS Prevention Education is to be taught in the public schools of Oklahoma. Rules herein address grade levels and frequency of instruction, certain required curriculum content, and materials. [[70 O.S. § 11-103.3](#)]

OAC 210:15-17-2. AIDS prevention program

- (a) Acquired immune deficiency syndrome (AIDS) prevention education shall be taught in the public schools of this state. AIDS prevention education shall be limited to the discussion of the disease AIDS and its spread and prevention. Students shall receive such education:
- (1) At the option of the local school district, a minimum of once during the period from grade five through grade six;
 - (2) A minimum of once during the period from grade seven through grade nine; and
 - (3) A minimum of once during the period from grade ten through grade twelve.
- (b) A school district may develop its own AIDS prevention education curriculum and materials or use those developed by the State Department of Education. Any curriculum and materials developed for use in the public schools shall be approved for medical accuracy by the State Department of Health and must be limited to factual medical information for AIDS prevention.
- (c) AIDS prevention education shall specifically teach students that:
- (1) Engaging in homosexual activity, promiscuous sexual activity, intravenous drug use or contact with contaminated blood products is now known to be primarily responsible for contact with the AIDS virus;
 - (2) Avoiding the activities specified above is the only method of preventing the spread of the virus;
 - (3) Sexual intercourse, with or without condoms, with any person testing positive for human immunodeficiency virus (HIV) antibodies, or any other person infected with HIV, places that individual in a high risk category for developing AIDS.
 - (4) Abstinence from sexual activity is the only certain means for the prevention of the spread or contraction of the AIDS virus through sexual contact; and
 - (5) That artificial means of birth control are not a certain means of preventing the spread of the AIDS virus and reliance on such methods puts a person at risk for exposure to the disease.
- (d) School districts shall make the curriculum and materials available for inspection by the parents and guardians of the students that will be involved with the curriculum and materials. The school districts, at least one month prior to teaching AIDS prevention education in any classroom, shall conduct for the parents and guardians of the students involved, during weekend and evening hours, at least one presentation concerning the curriculum and materials that will be used for such education. No student shall be required to participate in AIDS prevention education if a parent or guardian of the student objects in writing to such participation. **(01)**

²⁵ PLEASE NOTE: The Oklahoma Administrative Code is available online, but only permits linking to the front page. To view OAC material, click on the hyperlinked "OAC", then select "View Code" from the options at the left side of the screen. Select the appropriate Title (210 for State Department of Education), then chapter number and subchapter, until you have reached the desired code section.

CO-CURRICULAR AND EXTRACURRICULAR PROGRAMS AND ACTIVITIES

OAC 210:35-17-2. Co-curricular and extracurricular programs

- (a) Co-curricular and extracurricular programs shall provide opportunities for developing leadership ability and stimulate active participation of all students in appropriate school organization and community activities according to their aptitudes and interests.
- (b) Co-curricular and extracurricular programs shall be planned through the cooperative efforts of the teachers and students and shall be organized and administered so as to contribute to the educational objectives of the school.
 - (1) Students shall not participate in a particular activity more than one period during the regular school day.
 - (2) A member of the teaching staff shall be in charge of each activity. The sponsors shall be directly responsible to the principal or some person appointed by the administration to direct the activities of the school.
 - (3) The State Board of Education encourages all elementary, middle, junior high, and secondary students to be in attendance in their regularly scheduled classes so that maximum learning can occur. Educational programs are built on the foundation of continuity of instruction and participation in the classroom setting. Consistent classroom attendance can assist students toward development of strong work habits, responsibility and self-discipline. Since the educational merit of the co-curricular and extracurricular programs is recognized, the goal of the State Board of Education is to facilitate a balanced education for each student. It is with these goals and philosophy that the State Board of Education establishes the following attendance/activities regulations:
 - (A) It is the intent of the State Board of Education that the superintendent or elementary superintendent and local board of education annually review the scheduling of co-curricular and extracurricular activities so that minimal interruptions occur in the instructional program of a student. The Oklahoma Secondary Activities Association (OSSAA) guidelines related to student eligibility to participate in extra-curricular activities, activity absences, number of games allowed, and length of season shall be applicable to all Oklahoma public schools and students.
 - (B) The maximum number of absences for activities, whether sponsored by the school or outside agency/organization, which removes any student from the classroom shall be ten for any one class period of each school year. Excluded from this number are state and national levels of school-sponsored contests. State and national contests are those for which a student must earn the right to compete. The criteria for earning the right to represent the school in any activity or contest must be submitted in writing by local school sponsors and approved by the local board of education.
 - (C) Each local board of education shall appoint, at the beginning of the school year, an Internal Activities Review Committee. This committee shall be responsible for reviewing and recommending any deviation of the activities policy to the local board of education. Any deviation from the ten days absence rule shall not exceed five days.
 - (D) Each school district shall be responsible for maintaining an addendum to the attendance records to verify the conditions within the school system that apply to regulation (3) (B) of this subsection.

(E) Procedures for filing complaints are:

- (i) A signed written complaint must first be filed with the local board of education. If the complaint is not resolved at the local level then the complaint should be filed with the Accreditation Section of the State Department of Education. Upon receipt of the complaint the Accreditation Section shall appoint a monitoring team to make an on-site visit and file a written report to the State Board of Education and Accreditation Section. This complaint must include a list of the name(s) of the student(s), date(s) and class(es) missed which exceed the regulation in (3) (B) of this subsection.
- (ii) The school district shall provide to the monitoring team during the on-site visit the necessary records to verify or deny the violation as specified in the written complaint.
- (iii) The monitoring team shall submit a written report to the superintendent or elementary superintendent and local board of education within 10 school days of the on-site visit.

(F) Upon the recommendation of the monitoring team the superintendent or elementary superintendent may be called to appear before the State Board of Education for determination of the appropriate action to be taken. In cases of flagrant violation state funds may be deducted/withheld from the school district.

(08)

DRIVER EDUCATION

OAC 210:15-19-4. Teacher qualifications

Each teacher assigned to teach Driver and Traffic Safety Education in an accredited high school must have:

- (1) A valid Oklahoma Secondary, Elementary-Secondary, Library Media Specialist, Speech-Language Pathology or Vocational Technical License/Certificate;
- (2) A credential in Driver and Traffic Safety Education;
- (3) A valid Oklahoma Driver's License as verified by the Department of Public Safety;
- (4) The teacher shall meet the requirements in (1) and (2) of this subsection before the State Department of Education recommends to the State Department of Public Safety that an instructor's permit be issued. The Instructor Certification, Assurances and Permit (ICAP) application shall be submitted to the State Aid Section. Provided the program meets all requirements and the teacher is properly qualified, the ICAP application will be forwarded to the Department of Public Safety to consider the instructor's driving record and to issue or renew a current driver education instructor's permit.

(98)

OAC 210:15-19-5. Reporting

The State Aid Section of the State Department of Education will furnish all forms of the required reports. There must be on file with the State Aid Section at the State Department of Education:

- (1) A copy of the current Instructor Certification, Assurances and Permit (ICAP) application approved by both the State Department of Education and Department of Public Safety. Such approved application shall be prerequisite to any behind-the-wheel instruction. An approved application must be filed for the appropriate session(s) of the school year;
- (2) A copy of the Driver Education Application for Prior Year Reimbursement form shall be submitted to the State Department of Education to claim reimbursement. For

reimbursement purposes, each student must receive 30 hours of classroom instruction and 6 hours of behind-the-wheel instruction.

- (3) Any other reports requested by the State Aid Section of the State Department of Education. **(99)**

OAC 210:15-19-6. Reimbursements

- (a) Beginning with the reimbursement for the 1998-99 school year driver education program, and each year thereafter, the State Superintendent of Public Instruction shall allow to each school district the amount per pupil as stated in law, providing the driver education program was completed during the preceding fiscal year and is in accordance with 210:15-19-4 through 210:15-19-12. No fee shall be charged to the student if the driver education program is offered during the regular school day. Every public school qualifying for reimbursement shall, upon conclusion of a school year, submit a report showing the total students per program, and a statement that all of the minimum standards have been met. These reports must be filed on forms supplied by the State Department of Education.
- (b) No allowance shall be made under this act for the instruction of pupils in driver education unless the school district has complied with these rules and regulations governing the establishment, conduct, and scope of driver education. **(07)**

OAC 210:15-19-7. Instructional time requirements

The Driver and Traffic Safety Education Program shall be conducted a minimum of one (1) semester. Students to be counted by the school under these regulations for reimbursement shall receive a minimum of thirty (30) hours of classroom instruction and a minimum of six (6) hours of actual driving in the Driver and Traffic Safety Education vehicle, all under a qualified Driver and Traffic Safety education instructor. **(98)**

OAC 210:15-19-8. Summer programs

- (a) Summer School Driver Education shall comply with rules and regulations for summer high school. Schools desiring Summer School Driver Education shall make application on forms furnished for this purpose. The application shall be properly completed and filed with the State Aid Section, State Department of Education.
- (b) The summer session must be in compliance with 210:15-19-7, Instructional Time Requirements, and rules and regulations for summer high school.
- (c) Application for Instructor Certification, Assurances and Permit (ICAP) must be filed on forms furnished for this purpose and approved by the State Aid Section of the State Department of Education and the State Department of Public Safety before behind-the-wheel instruction begins. **(99)**

OAC 210:15-19-9. Simulation

Simulators may be used to substitute for part of the time requirements in the behind-the-wheel phase of the program. Where such devices are used, a minimum of three (3) hours instruction must be given in the vehicle, under actual driving conditions. The time spent on the simulator shall be at the ratio of 4 to 1 . . . 4 hours on a simulator may be substituted for 1 hour of actual behind-the-wheel driving experience. **(98)**

OAC 210:15-19-10. Scheduling

- (a) Classroom instruction should be scheduled in keeping with the regular scheduling policy for other subjects in the school curriculum. It is highly recommended that the classroom, simulation (where used), and the behind-the-wheel instruction be integrated to the extent that each phase supplements the other.
- (b) Behind-the-wheel instruction should be scheduled in keeping with the needs of the students and, if possible, should be scheduled the same hour as classroom instruction. However, the driving phase of the class shall begin and end, with all students and the instructor, at the school. **(94)**

OAC 210:15-19-11. Student eligibility

- (a) Students who enroll in Driver and Traffic Safety Education in any public school of this state must show evidence that they are physically and mentally capable of receiving instruction and may profit from the course.
- (b) Any student receiving instruction in Driver and Traffic Safety Education, under the provisions of the law shall be:
 - (1) At least fifteen (15) years of age and a secondary school student.
 - (2) The student shall meet the requirements in (b) (1) of this section while regularly enrolled and certified by an instructor as a student taking a prescribed course of secondary school driver education, to operate a motor vehicle while accompanied by, and receiving instruction from said instructor who is actually occupying a seat beside the driver. **(98)**

OAC 210:15-19-12. Specifications for the vehicle

- (a) All Driver and Traffic Safety Education (D/TSE) vehicles must be equipped with dual controls, sideview mirrors (right and left), and front and rear seat belts for all occupants of the vehicle.
- (b) All D/TSE vehicles shall be clearly identified "Student Driver" on front and back of vehicle in a clearly visible place. It is recommended that the letters be at least 4" high. **(98)**

EARLY CHILDHOOD EDUCATION PROGRAMS

OAC 210:15-11-1. Purpose

The rules and regulations in this Subchapter provide procedures for implementation and continuance of early childhood education programs in accredited Oklahoma schools.

OAC 210:15-11-2. Rules and regulations for early childhood education programs

- (a) The number of children in a group shall not exceed twenty (20). The adult child ratio shall not exceed 1:10. Any enrollment that exceeds ten (10) shall require the employment of a teacher assistant.
- (b) The school district shall ensure the teacher assistant is provided professional development in early childhood education.
- (c) The program shall encourage family involvement to support the child's education experience.
- (d) The learning environment shall:
 - (1) Be arranged to provide for individual and group learning experiences
 - (2) Be equipped with movable furniture of the correct size

- (3) Have adequate materials and supplies available in sufficient quantities to meet the needs of the children in the class
- (4) Have restroom facilities that will accommodate four-year-olds
- (5) Provide for a playground area that is accessible and safe.
- (e) It is recommended that space requirements be based on thirty-five (35) square feet per child, and that the classroom have a sink with running water.
- (f) The curriculum shall be appropriate for the age and developmental level of the students. A process to provide continuity between the early childhood program and the kindergarten program shall be established.
- (g) The school district shall provide for individual student screening and referral for vision and hearing. (05)

GIFTED AND TALENTED EDUCATION REGULATIONS AND PROGRAM APPROVAL STANDARDS

OAC 210:15-23-1. **Responsibilities of school districts and local boards of education in providing for a gifted and talented program**

The local board of education is responsible to provide gifted and talented educational programs for all identified gifted and talented children who reside in the district. Gifted and talented educational programs must include multiple programming options which are matched with each student's identified needs and interests. (97)

OAC 210:15-23-1. **Definitions**

The following words and terms, when used in this Chapter, shall have the following meaning, unless the context clearly indicates otherwise:

"Children who reside in the district" means children who are legally enrolled in the district.

"Students who score in the top three (3%) on any nationally standardized test of intellectual ability" means a composite, total or full scale score in the 97th percentile or above, including the standard error or measure as denoted in each nationally standardized test of intellectual ability technical manual.

"Composite, total or full scale score" means the total of all components or subtest scores as defined in the technical manual of the nationally standardized test of intellectual ability. Subtest scores themselves do not constitute a composite, total or full scale score. (01)

OAC 210:15-23-2. **Procedural safeguards for the identification of students for gifted education programming**

- (a) Gifted and talented children shall be identified consistent with [70 O.S. § 1210.301](#) for the purposes of funding through the annual gifted educational child count.
- (b) Identification procedures are clearly stated and uniformly implemented.
- (c) Student placement decisions in the capability areas are based on multiple criteria.
- (d) Procedures used in the identification process are nondiscriminatory with respect to race, economic background, national origin or handicapping condition.
- (e) Written identification and placement procedures include parental involvement.
 - (1) Parents grant written permission for individual ability testing.
 - (2) Local gifted educational plan includes a procedure for parents to appeal a placement or nonplacement decision with which they disagree.

- (f) Identification of gifted students is an ongoing process extending from school entry through grade twelve.
- (1) Opportunities are provided for students to be considered for placement in gifted programs throughout their school experience. Students' placement in programming options is based on their abilities, needs and interests.
 - (2) Identification of students based on a nationally standardized test of intellectual ability is valid for a minimum of three years and may be valid for the student's educational experience.
 - (3) Procedures for the consideration of identification and placement of a pupil who was identified as gifted and talented in another school district are developed and implemented.
 - (4) Evaluation of the appropriateness of students' placement in gifted educational programming shall be ongoing.
 - (5) Written policies for removal from a programming option include a procedure for conferencing with parents relative to any change in placement.
 - (6) Strict confidentiality procedures are followed in regard to records of placement decisions and data on all nominated students.
 - (7) Records of placement decisions and data on all nominated students are kept on file for a minimum of five years or for as long as needed for educational decisions.
 - (8) Appropriate documentation for students scoring in the top three percent (3%) on a nationally standardized test of intellectual ability shall include, but is not limited to, individual student test composite score reports, written parent permission to test (required for individual ability test), parental approval of program placement decisions.

(97)

OAC 210:15-23-7. Qualifications of gifted child education program staff

Gifted educational program coordinators and teachers shall participate in inservice training or college training designed to educate and assist them in the area of gifted education.

(97)

OAC 210:15-23-9. Process for appeal of penalty

Districts against which a penalty is assessed as required under Part B of [70 O.S. § 1210.303](#), may appeal to the State Board of Education by:

- (1) An intent to appeal must be filed with the Director of Gifted Education within 30 days following receipt of notification that the gifted child educational program is not in compliance with State Board rules and [70 O.S. §§ 1210.301](#), [1210.302](#), [1210.303](#), [1210.304](#), [1210.305](#), [1210.306](#), [1210.307](#), and [1210.308](#).
- (2) The appeal will be brought to the State Board for their review and consideration at the next regularly scheduled meeting following receipt of notification of intent to appeal if notification is received at least ten working days prior to the next regularly scheduled board meeting.
- (3) The State Department of Education will review for the State Board the information upon which the penalty is assessed. The school district found to be in noncompliance will be given an opportunity to provide information to the State Board to refute the penalty.
- (4) Upon review of the information presented by the State Department and school district, the State Board will either uphold or overturn the penalty.

(97)

OAC 210:15-23-10. Failure to Report

Any school district who fails to submit an expenditure report to the State Department of Education by August 1 of each school year as required by [70 O.S. § 1210.307\(D\)](#) shall have State Aid for gifted and talented programs withheld pursuant to [70 O.S. § 3-104\(13\)](#) until all reporting requirements have been met. (12)

LIFELONG LEARNING

NOTE: As of July 1, 2014, the Lifelong Learning Section—which includes Adult Basic Education and GED Testing Services—has transferred from the State Department of Education to the [Oklahoma Department of Career and Technology Education](#). If you have questions about these programs, please [contact](#) the Department of Career and Technology Education.

OAC 210:10-9-1. General provisions

(a) **Purpose.**

The rules of this subchapter have been adopted for the purpose of establishing standards, guidelines, allocation of funds, development of projects and applications, and the implementation of Adult Education and Literacy, Workplace Literacy, English Literacy, and Integrated English Literacy/Civics. These projects provide educational programs to educationally disadvantaged adults and community needs.

(b) **Definitions.**

The following words and terms, when used in this Subchapter, shall have the following meaning unless the context clearly indicates otherwise:

- (1) **"Act"** means the [Adult Education and Family Literacy Act](#), Title II of the Workforce Investment Act of 1998 (P.L. 105-330).
- (2) **"Adult"** means an individual who has attained 16 years of age or who is beyond the age of compulsory school attendance under State law who is not enrolled in secondary school; who lacks sufficient mastery of basic educational skills to enable him/her to function effectively in society or who does not have a secondary school diploma or its recognized equivalent and who has not achieved an equivalent level of education; and whose lack of mastery of basic skills results in an inability to speak, read, or write the English language.
- (3) **"Adult education"** means services or instruction below the college level for educationally disadvantaged adults.
- (4) **"Adult education program"** means a local education agency, postsecondary institution, community-based organization, corrections education agency or faith-based organization responsible for locally administering the Adult Education and Family Literacy Act grant.
- (5) **"Community-based organization" (CBO)** means a private nonprofit organization which is representative of a community or significant segments of a community and which provides education, vocational education or rehabilitation, job training, or internship services and programs and includes neighborhood groups and organizations, community action agencies, community development corporations, union related organizations, employer-related organizations, tribal governments, and organizations serving Native Alaskans and Indians. The term 'private industry

council' means the private industry council established under [section 102 of the Job Training Partnership Act](#).

- (6) **"Cooperative"** means that the board of education of two or more school districts may enter into cooperative agreements and maintain joint programs including but not limited to, courses of instruction for handicapped children, courses of instruction in music and other subjects, practical instruction for trades and vocations, practical instruction in driver training courses, and health programs including visual care by persons legally licensed for such purpose, without favoritism as to either profession.
- (7) **"Disadvantaged Adult"** means an adult who demonstrates basic skills equivalent to or below that of students at the fifth grade level.
- (8) **"General Educational Development" (GED)** means a high school equivalency credential.
- (9) **"Local educational agency" (LEA)** means a public board of education or other public authority legally constituted within elementary or secondary schools in a city, county, township, school district, or other political subdivision of a state, or such combination of school districts or counties as are recognized in a State as an administrative agency for its public elementary or secondary schools, except that, if there is a separate board of other legally constituted local authority having administrative control and direction of adult education in public schools therein, such term means such other board or authority.
- (10) **"State educational agency" (SEA)** means the Oklahoma State Department of Education. **(09)**

OAC 210:10-9-2. Adult basic education

- (a) Programs, services and activities funded in accordance with uses specified in sections [203](#) and [231](#) of [the Act](#) are designed to expand or improve the quality of adult education programs, including priority programs for educationally disadvantaged adults (including first those adults with less than a 5th-grade achievement level, and second, those adults with a 6th-8th grade achievement level), adults with limited English speaking ability, adults with disabilities, institutionalized adults and GED preparation.
- (b) Adult education programs governed by the Act shall make every effort to provide free classes to students. Adult education programs may charge necessary and reasonable fees for consumable materials and work-based classes. Adult education programs that wish to implement fees must develop a fee policy that has been approved by the adult learning center's local governing board. The fee policy must be reasonable and may not restrict access to services.
- (c) The Act permits local adult education programs to generate income. The purpose of income is not to make a profit, but rather to expand services. Income and donations received must be reinvested in the adult education program. Any income must be accounted for in records and reported to the state Lifelong Learning office for National Reporting System Financial Reports.
- (d) Adult education programs governed by the Act must follow the state adult education Assessment Policy per federal guidelines.
- (e) Adult education programs governed by the Act must follow the state adult education Student Goal Setting Policy per federal guidelines.
- (f) For each year covered by the plan, the fiscal effort per student from nonfederal sources available for expenditure by the state for adult education, during the second preceding fiscal year must not be less than the fiscal effort per student from nonfederal sources

during the third preceding fiscal year in order to meet the maintenance of effort requirement.

- (g) Teachers of adult education located in the adult learning centers funded by the state under the Act, shall have a valid Oklahoma Teacher's Certificate. Directors of adult education located in the adult learning centers shall have a valid Oklahoma Teacher's Certificate or a graduate degree.
- (h) For fiscal control, the obligation basis of accounting is used; expenditures will be supported by copies of paid claims and invoices and will be audited following accepted auditing procedures.
- (i) Federal funds for adult education programs operating under a grant extension will be allocated according to local program data, program performance, and participation in state and national initiatives. Seventy percent of federal funds will be allocated according to the number of students with a pre-assessment and 12 hours of instruction as reported in National Reporting System (NRS) data. Twenty percent of federal funds will be allocated according to whether federal and state indicators of performance were met. Ten percent of funds will be allocated for participation in state and national initiatives. Allocations for the current fiscal year will be based on National Reporting System data from the second preceding fiscal year.
- (j) State funds for adult education programs operating under a grant extension will be allocated according to program data. Fifty percent of state funds will be divided evenly among all programs to establish a funding base. The remaining fifty percent of state funds will be allocated according to the number of students enrolled. Allocations for the current fiscal year will be based on National Reporting System data from the second preceding fiscal year.
- (k) The SEA and the adult education programs participating in the plan shall enter into cooperative arrangements, when feasible and appropriate, with such entities as other state agencies, community based organizations, community action agencies, career technology schools, churches, businesses, etc. in order to carry out the general purpose of the Act.
- (l) The adult education programs will expend 95% of the funding for adult education activities and 5% will be used for administrative costs, however if the administrative cost limits would be insufficient for adequate planning and administration of the program, the state agency may negotiate with the local grant recipient in order to determine an adequate level of funds to be used for noninstructional purposes. Negotiated administrative cost limits are indicated in the Adult Education and Literacy State Plan/State Plan Amendments.
- (m) The SEA will provide direct and equitable access to and will review grant proposal applications during an open grant competition. The adult education program will demonstrate that the twelve considerations outlined in [Section 231 of the Act](#) are being met in order to be considered for a grant award. The adult education program must assure that the services are coordinated with and are not duplicative services under other Federal, State and local programs. The comments of the adult education program and responses thereto shall be attached to the application when it is forwarded to the state.
- (n) Federal funds for new grantees shall be allocated on the basis of an application, budget, and proposed number of students to be served. State funds will be matched on the ratio specified by the Adult Education Act regulations in existence for the current fiscal program year.
- (o) The SEA will evaluate grant recipients based on the federal requirements for program evaluation.

- (p) Adult education programs will follow all requirements set forth in the SEA Adult Education State Plan and State Plan Amendments.
- (q) Adult education programs will meet the state performance measures of pre-/post-assessing 60% of their students and increasing the average number of student contact hours each fiscal year.
- (r) Adult education programs will use an SEA-approved management information system to document student enrollment, goals, attendance, educational gains, and other information as required by the National Reporting System (NRS). Programs will update data monthly.

(09)

OAC 210:10-9-6. General educational development (GED) testing program

- (a) The Lifelong Learning Section of the State Department of Education has responsibility for directing the GED Testing Program in Oklahoma and for issuing high school diplomas to those who successfully complete the GED Tests.
- (b) An applicant shall be 18 years of age or older, except beginning August 1, 1995, persons having attained the age of 16, but who are not yet 18, must be permitted to take the GED Tests provided the applicant meets the residency requirements and submits along with the application to take the GED Tests, a notarized joint written agreement between the school administrator of the school district in which the applicant resides, and the parent, guardian, or custodian, stating that it has been determined that such action is in the best interest of the child and community.
- (c) An applicant shall be a resident of the state of Oklahoma.
- (d) The GED Tests shall be administered by one of the many local GED Testing Centers in Oklahoma approved by the GED Testing Service, Washington, D.C.
- (e) To become eligible to take the GED Tests, an application must be made to the Lifelong Learning Section of the State Department of Education online or through an approved local GED Testing Center. A fee will be charged by the local testing center at the time the tests are taken.
- (f) The State Department of Education will contract with an independent scoring service approved by the GED Testing Service for the scoring of GED Tests. The local GED Testing Centers shall send the test answer sheets to the contracted scoring service for scoring.
- (g) An applicant shall make the minimum score required for passing the GED Tests, as established by the GED Testing Service.
- (h) A high school diploma shall be awarded by the State Department of Education to those who make a passing score on the GED Tests. This credential certifies that the holder has shown evidence of general educational development equivalent to a high school education, as revealed by scores made on the GED Tests.
- (i) The Lifelong Learning Section will collect a \$10 fee for processing the initial application for GED Testing and the original GED Diploma. This fee is in addition to the fees required by the GED Testing Service for first-time test takers and the scoring fee. Payment will be in the form of a school or institution check.
- (j) The Lifelong Learning Section will collect a fee of \$5 to score and process the writing test; a fee of \$5 to score and process one or more of the science, social studies, reading, or math tests; and a fee of \$10 to score and process a combination of the writing test plus one or more of the other four tests.
- (k) The Lifelong Learning Section will require a fee of \$20 for a duplicate GED Diploma with transcript and a fee of \$10 for an official GED transcript.
- (l) Only scores from the 2002 GED Tests will count toward earning a GED Diploma from January 1, 2002, forward.

- (m) The Lifelong Learning Section will collect a \$25 fee from the local GED Testing Center for processing a form repeat error. The local GED Testing Center may not collect this fee from the test-taker for whom the error occurred since this is an administrative error.
- (n) Beginning September 1, 2012, GED Testing Centers in Oklahoma may begin offering a computer-based GED test. 2
- (o) The Lifelong Learning Section will collect a four dollar (\$4) administration fee for each computer-based delivered content area test. This fee is in addition to the computer-based delivery fee for each content area test required by the GED Testing Service.
- (p) By January 1, 2014, every GED Testing Center in Oklahoma shall have fully implemented a computer-based testing program. **(12)**

MIDDLE SCHOOL MATHEMATICS LABORATORIES FOR PUBLIC SCHOOLS WITH LOW STUDENT ACHIEVEMENT IN MATHEMATICS PROGRAM

OAC 210:15-31-1. Purpose

This rule prescribes procedures to be used in developing and implementing the Middle School Mathematics Laboratory Program for public schools with low student achievement in mathematics at the middle school level pursuant to the provisions of state statute [70 O.S. § 1210.558](#).

OAC 210:15-31-2. Middle school mathematics laboratories for public schools with low student achievement in mathematics programs

- (a) The State Department of Education shall identify public schools with low student achievement in mathematics at the middle school level that meet the following criteria:
 - (1) Each school shall have at least fifty percent of its students performing below satisfactory on the eighth grade mathematics criterion referenced test of the Oklahoma School Testing Program in at least one of the two preceding years.
 - (2) There shall be a limit of one school per school district each year.
 - (3) There shall be representation from urban, suburban, and rural districts provided that such schools meet all other criteria.
 - (4) There shall be representation from each quadrant of the state provided that such schools meet all other criteria.
- (b) Each selected school shall:
 - (1) implement the computer education teaching system as recommended by the vendor and the State Department of Education.
 - (2) develop a Mathematics Laboratory Team which may include up to ten administrators, teachers, and technicians selected by school personnel to operate and utilize the computer education teaching system.
 - (3) attend all professional development provided by the vendor and the State Department of Education for appropriate implementation of the program.
 - (4) establish benchmark goals based upon preassessment data and state performance standards for the Oklahoma School Testing Program which will be submitted to the State Department of Education.
- (c) Each participating school shall provide disaggregated data to the State Department of Education through quarterly reports. **(09)**

OKLAHOMA ACADEMIC SCHOLAR RECOGNITION

OAC 210:10-1-16. Oklahoma Academic Scholar Recognition

(a) Purpose

The rules of this subchapter have been adopted for the purpose of providing requirements for recognition as an Oklahoma Academic Scholar. The purpose of the program is to recognize those secondary students within the state of Oklahoma who exceed the basic graduation requirements and who, through diligence, achieve academic ratings above those of their peers.

(b) Requirements for recognition effective with the graduation class of 2002-2003

Students who meet all the requirements listed below shall be recognized by the local school district and the State Board of Education as an Oklahoma Academic Scholar.

- (1) Accumulate over grades 9, 10, 11 and the first semester of grade 12, a minimum grade point average of 3.7 on a 4.0 scale or be in the top 10% of their graduation class.
- (2) Complete (or will complete) the curricular requirements for a standard diploma.
- (3) Score a 27 on the ACT or 1,220 combined reading and mathematics score on the SAT I. The ACT or SAT I must have been taken on a national test date before the date of graduation.

(05)

OKLAHOMA ORGAN DONOR EDUCATION AND AWARENESS PROGRAM ACT

OAC 210:15-18-1. Organ donor awareness

A resource list of existing organ donor awareness curriculum materials available for possible use in the elementary and secondary schools shall be developed by the Oklahoma State Department of Education.

- (1) At the option of the local school district, organ donor awareness curriculum may be used in appropriate curriculum content areas including: life science, biology, health, consumer science and physical education classes.
- (2) The local school district shall determine at which grades to use an organ donor awareness curriculum.
- (3) Any organ donor awareness curriculum beyond the scope of the current locally approved instructional materials shall require parent notification of their child's participation related to the specific organ donor awareness curriculum materials. No student shall be required to participate in organ donor awareness curriculum if a parent or guardian of the student objects in writing to such participation. (02)

OKLAHOMA SCHOOL ACCOUNTABILITY SYSTEM

OAC 210:10-13-18. Oklahoma School Accountability System

(a) ~~Adequate Yearly Progress (AYP)~~ **Academic performance targets.** The Oklahoma School Accountability System shall be based on academic performance data. All public elementary and secondary schools and local educational agencies (LEAs) shall be accountable for student achievement and for reaching academic performance targets ~~making Adequate Yearly Progress (AYP)~~ in accordance with the Oklahoma School Accountability System required by 70 O.S. § 1210.541. For purposes of 70 O.S. § 1210.541, a school shall be deemed to have reached

academic performance targets ~~made AYP~~ if it is not identified as a school in need of improvement by the State Department of Education Office of Accountability.

(b) Consequences of testing irregularities ~~Testing Irregularities~~ or misconduct ~~Misconduct on test scores~~ Test Scores and AYP ~~academic performance targets~~.

(1) If the State Department of Education (SDE) Student Assessment Office receives documentation of a student cheating on a test, the student's score shall be "invalidated." The student's score report for that content area shall read "Invalidated." The "invalidated" score shall have the effect of nonparticipation when aggregated with scores of other students at the school, district, and state levels.

(2) If a student does not attempt the test (such as refusal to read items or mark answers, finishing in 5 minutes, or randomly marking answers), no special action shall be taken. The student's test shall be scored and the score aggregated with the rest of the scores at the school, district, and state levels according to standard procedure.

(3) If a student becomes ill during testing and is not able to complete the test, the test shall not be scored and not counted in the summary scores. The student shall be counted as absent. If an equivalent form of the test is available through the OSTP, the student may be given an opportunity to take the equivalent form within the same testing window. In this case, the first test shall not be scored and the equivalent test shall be scored in its place. (Note: Equivalent test forms of the OSTP shall only be made available through the SDE only if determined practicable by the State Department of Education.)

(4) If any violation of security provisions occurs, such violations shall be reported in writing to the Student Assessment Section of the State Department of Education and may result in a student's, a school site's, and/or a school district's test scores being declared as invalid in accordance with the provisions of ~~(Section 210:10-13-4, (18).~~

(A) In the case of invalidation resulting from a violation of the provisions of 210:10-13-4, each invalidated score shall have the effect of a zero score and each zero score shall be aggregated with the remaining student scores at the school, district, and state levels.

(B) If the violation is not the fault of the students involved, and if an equivalent form of the test is available through the OSTP, students may be given the equivalent form within the same testing window at the district's expense if this is the first year for a security violation within the school and/or district in question. In the case that an equivalent form is administered, the individual student score report shall reflect the scores from the equivalent test (in place of the previous invalidated scores) and shall be aggregated at the school, district, and state levels.

(C) ~~(Note: Equivalent test forms of the OSTP shall only be made available through the SDE only if determined practicable by the State Department of Education.)~~

(5) If extreme changes in test scores or in ~~Academic Performance Index (API) scores~~ academic performance data occur for a school or district from year to year, an investigation shall be conducted, which may include, but not be limited to, a hand erasure analysis, and results of any apparent testing irregularity or misconduct reported to the State Board of Education for possible further action, which may include but not be limited to, score invalidation.

(6) Erasures shall be identified statewide by electronic scanning of all student answer documents, and the following action shall be taken:

(A) Scores for classes whose wrong-to-right erasures exceed the state average by more than four standard deviations shall be identified for further investigation.

(B) For each class with excessive erasures, the proportion of wrong-to-right erasures to the total number of erasures will be taken into account.

(C) A report shall be made to the State Board of Education of schools where classes have been identified with excessive erasures as defined by the criteria above for possible further action, which may result in score invalidation.

(7) Steps for Dealing with Reported Testing Irregularities or Misconduct

(A) Step One. When the State Department of Education receives credible evidence report of a testing irregularity or misconduct, ~~is made to the State Department of Education Student Assessment Section, the State Department of Education Office of Accountability and Assessments~~ shall promptly notify the school site and/or school district involved.

(i) The school district shall have at least thirty (30) calendar days to conduct an investigation of the alleged testing irregularity and provide the State Department of Education with a written response.

(ii) In the event that the testing irregularity occurred as a result of testing misconduct or test security violations, the school site and/or school district shall be required to respond by conducting an investigation and providing in writing to the State Department of Education Student Assessment Section an include an explanation in its written response of how the testing misconduct/irregularity occurred and a description of the measures taken to prevent the misconduct from occurring again.

(B) Step Two. The testing irregularity or misconduct shall be categorized into one of three violation categories (minor, major, and critical) according to the severity of the violation and its possible consequences. Possible consequences may include, but not be limited to, invalidation of scores, accreditation with deficiency, accreditation with warning, accreditation with probation.

(C) Step Three. At the end of each testing period, a testing ~~violations~~ irregularity report shall be prepared by the State Department of Education Office of Accountability and Assessment ~~Student Assessment office~~ for review by the State Superintendent and possible further action.

(c) Procedures for Schools to Review Data Reports and Appeal Accountability Decisions.

(1) To assure the validity of accountability decisions prior to the release of the list of schools in need of improvement as required by federal law, the State Department of Education will forward to schools the preliminary data reports containing component pieces from the school district, testing vendor, and the State Department of Education. Each school district must review these component pieces for accuracy and report any inaccuracies to the entity supplying the information within the applicable timelines. If the school district does not report inaccuracies within the timeline the State Department of Education will rely on the data in the preliminary data report.

(2) Upon receiving their preliminary data reports from the State Department of Education for use in creating School and District Report Cards, districts shall review the data in the preliminary data reports and report any discrepancies with the data components previously reviewed by the district to the State Department of Education within the specified timeline.

(3) Subsequent to the review of the preliminary data report, if a principal of a school, or a majority of the parents of the students enrolled in a school, believe that the

accountability decision contained in the data report is in error the principal shall provide supporting evidence to the district. The district must consider the evidence and if warranted, request an appeal in writing to the State Department of Education. The State Department of Education must receive the appeal request within ten working days of the electronic release of the data reports.

(4) If a school and/or district has had test scores invalidated because of a testing irregularity or misconduct with the effect of nonparticipation for aggregation purposes, and such action results in an invalidation that prevents the school and/or district from receiving an accountability decision, the district may appeal the determination on a first time occurrence and request placement on Probationary Status instead of receiving an invalidation. At the end of the next consecutive year, if the school and/or district does not receive an accountability decision for any reason, they shall automatically be identified as being in need of improvement status.

(5) When a school district or charter school appeals an accountability decision, the appeal request will be sent to the State Department of Education on the appeal form or other electronic submission method provided by the State Department of Education. The school district or charter school must specify on the form if a hearing pursuant to [Title 75 O.S. § 309](#) is requested. If such a hearing is requested, the district must provide a written waiver of the right of the district to receive a final determination from the State Department of Education within the period required by federal law. In that event, all parties will cooperate to expedite the hearing process. If a hearing pursuant to [Title 75 O.S. § 309](#) is not requested, the school district must submit written evidence supporting its appeal with the appeal request. ~~Written evidence supporting its appeal.~~ The district may also request to address the School Status Designation Appeals Committee in person or by telephone. All appeal requests will initially be reviewed by the Office of Accountability and Assessments to determine whether the appeal request remains with the School Status Designation Appeals Committee or is forwarded to the State Superintendent for a hearing pursuant to [Title 75 O.S. § 309](#). The School Status Designation Appeals Committee will consist of members of the State Department of Education's Leadership Team and may also include additional members appointed by the State Superintendent. The Appeals Committee will review the district's evidence submitted with the appeal and if requested, hear comments from the school district, before providing a final determination in writing within forty-five (45) days from release of the data reports.

(6) At the end of the State Department of Education Appeals process, the State Department of Education shall report to the State Board of Education the statewide list of schools in need of improvement.

(d) Sanctions for public elementary and secondary schools that do not reach academic performance targets. ~~make Adequate Yearly Progress (AYP)~~

(1) Title I schools that do not reach academic performance targets ~~make Adequate Yearly Progress (AYP)~~ for two consecutive years shall be identified as being in need of improvement status. Title I schools in the State of Oklahoma shall be subject to the sanctions defined by federal law.

(2) Non-Title I schools that do not reach academic performance targets ~~make AYP~~ for two consecutive years or more shall be subject to sanctions as determined by the State Board of Education. The State Board of Education may utilize sanction options identified by federal law, as deemed appropriate based upon relevant circumstances of the school's performance. The sanctions may include but not be limited to the following:

- (A) provide a school improvement plan,
- (B) provide technical assistance,
- (C) offer school choice,
- (D) provide supplemental services,
- (E) take corrective action, or
- (F) implement a restructuring plan.

(e) Rewards for public elementary and secondary schools that reach academic performance targets. make Adequate Yearly Progress (AYP) Subject to the availability of funds, public elementary and secondary schools that reach academic performance targets shall be eligible for recognition in accordance with provisions of the Academic Achievement Award (AAA) Program set forth in 70 O.S. § 3-152.1.

~~(1) Academic Achievement Awards Title I, Part A. Schools that meet AYP and receive Title I, Part A funds are eligible for Academic Achievement Awards, subject to the availability of funds.~~

~~(2) State Academic Performance Award Program.~~

~~(A) All public elementary and secondary schools that make AYP shall be recognized by the state as Distinguished Schools.~~

~~(B) Recognition of Distinguished Schools may include, but not be limited to, citations of congratulations from the State Superintendent of Public Instruction as the designee of the State Board of Education, the Governor or designee, the Representative and Senator representing the school district, and a flag for each school achieving Distinguished status.~~

PROFICIENCY BASED PROMOTION

OAC 210:35-27-1. Purpose and scope

This Subchapter contains rules and regulations for school districts to provide course credit and/or promotion for learning to students in grades Kindergarten (K) through twelve (12) who demonstrate proficiency in a specified set of competencies through an evaluation and/or assessment in lieu of successful completion of all Carnegie units in a particular course. These rules which relate to, and are in addition to, the accreditation standards set forth in Subchapters 1 through 13 of this Chapter.

OAC 210:35-27-2. Proficiency based promotion and evaluations of student placement.

(a) General provisions. The provisions of this Section address requirements of school district policies and procedures pertaining to use of assessments to evaluate appropriate placement of students and/or provide course credit to students who can demonstrate proficiency in sets of competencies in the areas of curriculum required by 70 O.S. § 11-103.6, provided that the provisions of this Section are not intended to preclude a district from awarding credit to a student who satisfactorily completes all course requirements and sets of competencies for a course. The policies and procedures shall comply with the requirements of this Section and shall set forth the district's use of proficiency assessments for each of the following purposes:

(1) Course placement. Proficiency assessments for purposes of "course placement" refer to assessments administered solely for the purpose of evaluation of appropriate grade or course placement of students; and

(2) Credit by examination. Proficiency assessments for purposes of providing "credit by examination" refer to assessments administered for the purpose of providing course credit for a student who demonstrates mastery of a set of competencies through the examination in lieu of completion of Carnegie units ("proficiency based promotion").

(b) Policies regarding use of proficiency-based assessments for appropriate grade or course placement. School district policies and procedures regarding use of proficiency assessments shall address all of the following provisions:

(1) Requests for proficiency assessments for evaluation of appropriate grade or course placement. The district policies required by this Section shall clearly describe the procedures for requesting proficiency assessments for the purpose of evaluating appropriate grade or course placement of a new student or currently enrolled student and shall ensure compliance with all of the following provisions:

(A) Every school district shall provide all new students with an opportunity to request a proficiency assessment for the purpose of determining appropriate course placement within thirty (30) days of enrollment or re-enrollment in the district. School district policies shall permit a request for an assessment for this purpose to be initiated by a new student or the student's teacher, parent, or legal guardian.

(B) For purposes of this paragraph, any student currently enrolled in the district who was not enrolled in the district during all or part of the immediately preceding school term, excluding summer school terms, shall be considered a new student.

(2) Requests for proficiency assessments for credit by examination. The district policies required by this Section shall clearly describe the procedures for requesting proficiency assessments for the purpose of obtaining course credit by examination and shall ensure compliance with all of the following provisions:

(A) Every school district shall provide all students legally enrolled in the school district with at least two opportunities per school year to obtain course credit through examination in each required curriculum area. School district policies shall permit a request for an assessment for this purpose to be initiated by a student or the student's teacher, parent, or legal guardian.

(B) Identification as a "Gifted and Talented" student in accordance with the provisions of [70 O.S. § 1210.301](#) et seq. and accompanying regulations shall not be used as a prerequisite for requesting an assessment for the purpose of obtaining credit by examination.

(C) Enrollment in a course or completion of a course shall not be used as a prerequisite for requesting an assessment for the purpose of obtaining credit by examination.

(D) Students who do not successfully demonstrate proficiency by evaluation or assessment pursuant to the provisions of this Section shall be allowed to attempt the assessment again during the next available proficiency evaluation period.

(3) Curriculum areas eligible for course credit by examination. The district policies required by this Section shall clearly state the areas of curriculum for which evaluation of proficiency may be requested for the purpose of obtaining course credit through examination.

(A) The areas of required curriculum in which opportunities for credit by examination will be offered shall include:

(i) Social studies, history, or citizenship skills;

(ii) Language arts or English;

(iii) Visual arts, fine arts, performing arts, or speech/communication;

(iv) Non-English languages;

(v) Mathematics; and

(vi) Science

(B) Written criteria for demonstrating mastery in each required curriculum area shall be made available to a student or the student's parent or legal guardian upon request. Demonstration of proficiency in all laboratory science courses shall include a requirement of demonstration of the student's ability to perform relevant laboratory techniques. Upon the request of a student, parent, guardian, or educator, a student will be given the opportunity to demonstrate proficiency in one or more areas of the core curriculum.

(c) Proficiency assessment tools - requirements. Each school district shall clearly identify the assessment tools it will use to make student placement decisions and assessment tools it will use to provide course credit by examination. The assessment tools must comply with all of the following requirements:

(1) Proficiency assessments for purposes of evaluating appropriate grade or course placement. Each district shall clearly identify all assessment tools used to evaluate appropriate grade or course placement of a student in absence of evidence of the student's successful completion of a previous grade level or a prerequisite course in the district. Evaluations administered for this purpose shall assess the student's proficiency in sets of competencies Proficiency will be demonstrated by assessment or evaluation appropriate to the curriculum area, and shall meet all of the following requirements:

(A) The evaluation shall ensure that appropriate grade and/or course placement of a student meets the requirements of (d)(2) of this Section and shall ensure that that the academic needs of the student are met.

(B) The evaluation shall ensure that appropriate grade and/or course placement of a student complies with all other requirements of state or federal law (e.g., provisions of the Reading Sufficiency Act at [70 O.S. 1210.508A](#) et seq. or the Achieving Classroom Excellence Act at [70 O.S. § 1210.523](#)).

(C) Examples of types of appropriate assessment tools for making student grade or placement decisions may include, but shall not be limited to: for example:

(i) A portfolio of student work;

(ii) A criterion-referenced test,

(iii) A student thesis, project, or product;

(iv) A or student performance or recital;

(v) Student classroom performance; or

(vi) Recommendations of the student's teacher.

Proficiency in all laboratory science courses will require that students are able to perform relevant laboratory techniques.

(2) Students shall have the opportunity to demonstrate proficiency in the core areas as identified in 70 O.S. § 11-103.6:

(A) Social Studies

(B) Language Arts

(C) The Arts

(D) Languages

(E) Mathematics

(F) Science

(2) Course credit through examination. Each district shall clearly identify all assessments used to determine proficiency Proficiency for the purpose of advancing to the next level of study obtaining credit through examination for required courses. will be demonstrated by a (90%) or comparable performance on an assessment or

demonstration. Students may take assessments for this purpose before, during, or after enrollment in the course. Assessments of proficiency for this purpose shall require a demonstration of proficiency appropriate to the curriculum area and shall meet all of the following requirements:

(A) **Courses tested under the Oklahoma School Testing Program.** Credit by examination for courses that are tested under the Oklahoma School Testing Program ("OSTP") at [70 O.S. § 1210.508](#) shall require the student to obtain a proficient score on an assessment tool identified by the district in accordance with local school district policies.

(i) Credit by examination for secondary-level courses that are used to meet high school graduation requirements and are tested under the Oklahoma School Testing Program at [70 O.S. § 1210.508](#) shall require a score of at least "Proficient" or above in the criterion-referenced test that corresponds to the required course.

(ii) Credit by examination in lieu of completion of the required Carnegie units in secondary coursework for any course in a subject area identified in [70 O.S. § 1210.523](#) that requires an end-of-instruction examination shall require the student to obtain a score of "Proficient" or above on the end-of-instruction examination for the course administered pursuant to the provisions of [70 O.S. §§ 1210.508](#) and [1210.523](#).

(iii) Credit by examination for any elementary or middle level course shall require the student to obtain a score of "Proficient" or above on the criterion-referenced test that corresponds to the course for which the student seeks credit.

(B) **Courses not tested under the Oklahoma School Testing Program.** Credit by examination for courses not tested under the Oklahoma School Testing Program at [70 O.S. § 1210.508](#) shall require the student to obtain a proficient score on an assessment tool identified by the school district in accordance with local school district policies and approved by the local district board of education.

(i) Every school district shall ensure that each assessment tool identified for use to provide credit through examination pursuant to the provisions of this subparagraph meets all of the following requirements:

(I) The assessment tool for the curriculum area requires a demonstration of proficiency that is appropriate to the subject area; and

(II) The assessment tool for the curriculum area is aligned to the district's curriculum standards and accurately measures the student's demonstration of the sets of competencies in the current academic method and process standards mostrecently adopted by the State Board of Education.

(ii) Examples of types of appropriate assessment tools in curriculum areas not tested under the provision of the OSTP may include, but shall not be limited to:

(I) A portfolio of student work;

(II) A criterion-referenced assessment;

(III) A student thesis;

(IV) A student project;

(V) A student performance or recital.

~~(4) The opportunity for proficiency assessment will be provided at least twice each school year.~~

~~(5) Qualifying students are those who are legally enrolled in the local school district.~~

~~(6) The district may not require registration for the proficiency assessment more than one month in advance of the assessment date.~~

~~(7) Students will be allowed to take proficiency assessments in multiple areas.~~

~~(8) Students not demonstrating proficiency will be allowed to try again during the next assessment period.~~

~~(93) **Students with disabilities.** Every evaluation or assessment tool administered to students in accordance with the provisions of this Section shall include necessary accommodations set forth in a student's IEP or Section 504 plan, if any. Accommodations to a proficiency standard assessment may be approved by a local district for those students with disabling conditions disabilities. The appropriateness of such accommodations shall be determined on a case-by-case basis in accordance with the student's IEP or Section 504 plan.~~

~~(3d) **Results of proficiency assessments.** Each district shall establish policies for student placement and/or promotion that include consideration of the results of assessments given in accordance with the provisions of this Section. Such policies shall ensure compliance with all of the following requirements:~~

~~(1) **Unsuccessful demonstration of proficiency.** Failure to demonstrate proficiency in an assessment provided in accordance with the provisions of this Section shall not be noted on the student's transcript.~~

~~(b2) **Successful demonstration of proficiency.** Decisions regarding promotion of students who demonstrate ~~Students demonstrating~~ proficiency in a core required curriculum area in accordance with the provisions of this Section shall be determined ~~will be given credit for their learning and will be given the opportunity to advance to the next level of study in the appropriate curriculum area in accordance with local school district policies and shall meet all of the following requirements:~~~~

~~(1A) The school shall will confer with parents in making such promotion/acceleration decisions regarding student placement or promotion. Such factors as social, emotional and intellectual needs of the student mental growth should be considered.~~

~~(2B) If the parent or guardian requests promotion/acceleration contrary to the recommendation of school personnel, the parent or guardian shall sign a written statement which shall be included in the permanent record of the student.~~

~~(3) Failure to demonstrate proficiency will not be noted on the transcript.~~

~~(4C) If a student is being assessed in a set of competencies that is part of a curriculum sequence, the student ~~Students must progress through a curriculum area in a~~ may demonstrate proficiency in any sequence recommended by the school district. Sequential manner. Elementary, middle level, or high school students may demonstrate proficiency.~~

~~(5) If proficiency is demonstrated in a grade 9-12 curriculum area, appropriate notation will be placed on the high school transcript. The unit shall count toward meeting the requirements for the high school diploma.~~

~~(6) Units earned through proficiency assessment will be transferable with students among school districts within the state of Oklahoma.~~

~~(c) Proficiency assessment will measure mastery of the Priority Academic Student Skills in the same way that curriculum and instruction are focused on the Priority Academic Student Skills. In other words, assessment will be aligned with curriculum and instruction.~~

(d) Options for accommodating a student's ~~student~~ needs for advancement after ~~they have~~ a student has demonstrated proficiency may include, but are not limited to, the following:

- (1i) Individualized instruction
- (2ii) Correspondence courses
- (3iii) Independent study
- (4iv) Concurrent enrollment
- (5v) Cross-grade grouping
- (6vi) Cluster grouping
- (7vii) Grade/course skipping
- (8viii) Individualized education programs
- (ix) Supplemental online courses

~~(e) Each school district will disseminate materials explaining the opportunities of proficiency based promotion to students and parents in the district each year. Proficiency criteria for each core curriculum area will be made available upon request.~~

OAC 210:35-27-3. Appropriate notation for credit in core required curriculum area(s) completed through examination

~~Appropriate notation~~ All course credits earned through examination by will be made for elementary, middle level, or high school level students satisfactorily completing grade 9-12 high school in required curriculum areas shall be appropriately notated on the student's transcript and/or student record. Completion may be recorded with a letter grade or pass notation. Credits earned by a student through examination in accordance with the provisions of 210:35-27-2 shall be transferable to or from any other school districts within the State of Oklahoma in which the student was enrolled, is currently enrolled, or may be enrolled. This Credit for units of secondary coursework in curriculum area will areas required for graduation by 70 O.S. § 11-103.6 shall count toward meeting the requirements for the high school diploma.

(14)

READING PROFICIENCY ACT

OAC 210:10-13-15. Reading Proficiency Act

- (a) Public schools must offer a State Department of Education approved 8th Grade alternative reading test four times per year to students who attend the public schools in the respective districts as well as nonpublic school students who reside in the district attendance area. The first administration is free to all students.
- (b) Contingent on the availability of appropriated funds, the State Department of Education will reimburse schools up to \$25 for each student who is given the first alternative reading test to meet the requirements of the Reading Proficiency Act. The reimbursements will occur after school districts submit the Reimbursement for District Cost of Alternative Reading Proficiency Test Administration Forms. These forms are due by January 15 and again by May 15.
- (c) Districts will report receipt and expenditure of funds per Oklahoma Cost Accounting System requirements. The State Department of Education will periodically review expenditure reports.

(99)

STUDENT ASSESSMENT

OAC 210:10-13-2. Oklahoma School Testing Program (OSTP) scope and general administration

(a) **Definitions.** In this Section, the words and terms shall have the following meaning:

"**Proficient/Satisfactory**" means achieving at least the minimum score for demonstrating mastery as defined by the State Board of Education on an academic achievement test of the Oklahoma School Testing Program (OSTP).

(b) All public school districts shall administer the state mandated academic achievement tests of the OSTP to all students enrolled in the designated grades. The series of tests shall be fieldtested/implemented by the amended schedule in ~~Title~~ [70 O.S. § 1210.508](#), or federal law.

(1) Students with Individualized Education Programs (IEPs) shall have an appropriate statement on the IEP with regard to the type of assessment in which the student will participate (e.g., Oklahoma Core Curriculum Test (OCCT) with or without accommodations, ~~the Oklahoma Modified Alternate Assessment Program (OMAAP) with or without accommodations, a combination of OCCT and OMAAP,~~ or the Oklahoma Alternate Assessment Program (OAAP) Portfolio). The OCCT, ~~OMAAP,~~ and OAAP Portfolio are all a part of the Oklahoma School Testing Program (OSTP). Any state approved accommodations must be documented in the student's current IEP. Current documentation for each student shall be on file in the local school prior to test administration.

(2) All students who have been determined to be limited English proficient (LEP) as the term is defined at 20 U.S.C. § 7801, also known as English language learners (ELL), shall be included in all of the state-mandated academic achievement tests of the OSTP. ELL students are those who have been appropriately identified, through English proficiency screening by the local school districts, as requiring specialized instructional services designed to increase their English proficiency and academic performance. For every student identified as ELL, the local district shall have on file verification that the student is receiving special instruction designed for the specific purpose of improving the ELL student's English proficiency. Any State Department of Education approved and adopted English proficiency assessment shall be considered an official assessment of the OSTP, and will be subject to the same security, privacy, and administration measures accorded to all other OSTP assessments.

(A) Students identified as ELL shall be assessed in a valid and reliable manner with the state academic assessments with acceptable accommodations as necessary and, to the extent practicable, with alternate assessments aligned to the state assessment provided by the local school district in the language and form most likely to yield accurate data on what such students know and can do in these content areas; these alternate assessments will continue until such students have achieved English language proficiency with the exception noted in paragraph (2)(B) of this subsection.

(B) If ELL students are administered the state-mandated reading and language arts achievement tests in a language other than English, this will be allowed only during their first three consecutive years of school attendance in the United States (not including Puerto Rico). After these first three years these tests must be administered in English, except that if the local school district determines on a case-by-case basis, that a student has not yet reached a level of English language proficiency that will allow valid and reliable information to be obtained, even with testing accommodations, in which case individual waivers

will be allowed by the local district for up to two additional consecutive years, according to federal law.

(3) All End-of-Instruction assessments must be taken once the corresponding course of instruction has been completed. In order to meet the Federal No Child Left Behind (NCLB) legislation requirements, all students prior to graduating from high school must take the Algebra I, Biology I, and English II assessments regardless of whether instruction has been taken, unless otherwise exempt.

(c) On an annual basis, school superintendents or their designees shall provide a copy of the State Board of Education Rules, [OAC 210:10-13](#), for all school personnel responsible for receipt, inventory, distribution, or return of tests documents, and/or for administration of tests within the Oklahoma School Testing Program.

(d) Districts may request special reports beyond those provided by state contract with the testing company at their own cost (i.e., individual student records on CD or disk, District Title I Report, District Alpha Order Report, etc.).

(e) Test results of all students not enrolled in a district for a full academic year shall be disaggregated and shall not be used to determine the progress of the district, according to federal law. Test results of all students not enrolled in a school site for a full academic year shall be disaggregated and shall not be used to determine the progress of the school site, according to federal law. ~~"Beginning with the 2008-2009 school year~~ For purposes of the OSTP, "Full Academic Year" shall be defined for the purposes of the Oklahoma Core Curriculum Tests (OCCT), Oklahoma Modified Alternate Assessment Program (OMAAP), and the Oklahoma Alternate Assessment Program (OAAP) as continuous enrollment beginning within the first ten days from October 1 of the school year through and including the date of administration of the exam without an enrollment lapse of ten or more consecutive days.

(f) For purposes of the annual reports of the OSTP, test results of all students who have been placed in a state juvenile facility by state law or court order, or students placed in a full time residential facility providing educational services to students by joint agreement with one or more school districts within a district by state or court order, shall not be used to determine the progress of the site or the district of residence of the students unless the facility has been specifically designated as a separate site within a school district and has been assigned a separate site code within the school district by the State Department of Education at the request of the school district. Instead their scores will be used in accountability calculations in one statewide "virtual" district.

(g) Each public school student who does not score at least at the satisfactory level on state criterion-referenced tests in reading and mathematics by the end of the student's seventh grade year shall be provided remediation for the purpose of assisting the student in performing at least at the satisfactory level on the eighth-grade criterion-referenced tests in reading and mathematics. Each public school student who does not score at least at the satisfactory level on state criterion-referenced tests in reading and mathematics by the end of the student's eighth grade year shall be provided remediation for the purpose of assisting the student in performing at least at the satisfactory level on the end-of-instruction tests administered in high school. ~~Beginning with students entering the ninth grade in the 2008-2009 school year, each~~ Each public school student who does not attain at least a satisfactory or proficient score on the state end-of instruction tests shall be provided remediation for the purpose of assisting the student in attaining at least a satisfactory or proficient score on the Algebra I, English II, and two of the remaining five end-of-instruction tests, in order to graduate from an Oklahoma accredited public high school.

(1) Districts and/or schools may provide remediation through extended instructional time during the school day, a summer academy, tutoring, online coursework, or other

supplementary services. Remediation is not limited to these practices.

(2) Remediation provided ~~through instructional time during the school day, a summer academy, or school-based tutoring~~ shall be under the supervision of a highly qualified teacher in the appropriate content area.

(3) The State Department of Education shall provide information about best practices for remediation and interventions on the State Department of Education website.

(4) ~~Beginning with the 2008-2009 school year, the~~ Each district shall submit an annual remediation plan to its local board of education at a regularly scheduled meeting prior to November 15 of each school year. The remediation plan shall be for those students who do not attain at least a satisfactory or proficient score on the tests listed in this section. The plan should include how remediation funds will be spent, when and where remediation will be provided, what content will be addressed, how instruction will be delivered, and who will provide the instruction, including the highly qualified status of the instructor.

(5) Funds for remediation shall be disbursed by the State Department of Education to the local school districts by September 1 of each year in accordance with the requirements of [70 O.S. § 1210.526](#). Funds for each fiscal year shall be based on the most recent OSTP test results available for each student from the previous school year or summer test administration.

(6) Funds for remediation shall be utilized to provide intervention and remediation for qualifying students as described in this section. Allowable expenditures include salaries and stipends for highly qualified teachers and tutors under the supervision of highly qualified teachers; instructional materials such as textbooks, workbooks, teacher-made materials, computer assisted instructional software, manipulatives, and classroom instructional tools necessary to provide remediation; assessments designed to monitor the progress of students in remediation programs; transportation to and from tutoring sessions held outside of the school day; and training in best practices for providing remediation. Funds for remediation may not be used for salaries, materials, or administrative services not directly related to remediation or for students who do not qualify for remediation as described in this section.

(7) School districts shall report the use of remediation funds and the results of the remediation, as measured by periodic progress assessments and district student performance on state assessments. Districts shall submit an online report annually to the State Department of Education through the Oklahoma School District Reporting Site (SDRS). The district shall also submit the annual report to its local board of education at a regularly scheduled meeting. Remediation results shall be presented by a designated public school principal for each site.

OAC 210:10-13-4. Test security and validity

(a) **Test security.** School administrators ~~or~~ and their designees shall maintain security on tests administered under the auspices of the Oklahoma School Testing Program through following the procedures listed below:

(1) **Test coordinators.** School superintendents shall designate both district and building test coordinators before October 1 of each school year. Names and telephone numbers of district test coordinators shall be recorded on the OSTP Questionnaire conducted in the fall semester of each school year. This questionnaire is the order form provided by the testing vendors for all tests in the OSTP including large print and Braille test forms.

(2) **Pretest information.** The State Department of Education shall provide student/parent pretest information materials to schools for designated grade levels before testing.

(3) **Embargo of test materials.** The State Department of Education shall require the contracting test publisher to place an embargo on the sale, sampling, and/or distribution of test materials utilized in the OSTP to any person or organization in Oklahoma (other than the official distribution of such materials purchased for the OSTP by the State Department of Education). This embargo is to be enforced from the first day of contract with the State Department of Education throughout use of this test for the OSTP and until the Department has given notice that the test series is no longer going to be used in the OSTP. ~~The State Department of Education may enter into a Memorandum of Understanding with publicly funded schools to meet the requirements of federal programs.~~

(A) Violation of this agreement by a contracting test publisher can result in automatic and immediate forfeiture of the contract and reimbursement to the State Department of Education (by the contracting company) of any funds expended in the conduct of the OSTP.

~~(4)(B)~~ No individual person nor organization either private or public or private entity shall obtain copies of any test materials utilized in the OSTP other than through the official distribution of test materials to public schools immediately prior to administration of the annual OSTP. Any person or organization attempting to order such materials from the contracting test publisher (or from other scoring companies handling OSTP or "offgrade" scoring and reporting) shall be reported by the contractor to the State Superintendent of Public Instruction.

(5) **Maintenance of the security of test materials prior to exam administration.** All student test materials (i.e., test booklets, prompts for writing assessment, and answer documents) shall be bound by the test publisher in packages of designated lot sizes. No test booklets shall be viewed by any person other than the student taking the test at the time of testing, except in the case of special education, Section 504, or ELL accommodations which allow a test administrator to assist a student being tested. Test booklets shall be individually sealed, as practicable, to prohibit them from being opened.

(A) When seals are used on test booklets, the following procedures shall be followed:

(i) ~~they~~ Test booklets shall remain intact until tests are distributed to students at the beginning of the test administration session;

(ii) ~~each~~ Each test booklet seal shall be broken only by the student who is administered the test, except where special education or Section 504 accommodations allow the opening of the test; and

(ii) ~~unused tests~~ Unused test booklets shall remain sealed.

(B) When seals are not used on test booklets, the following procedures shall be followed:

(i) ~~tests~~ Test booklets shall remain closed until distributed to students at the beginning of ~~these~~ the test administration session;

(ii) ~~each~~ Each test booklet shall be opened only by the student who is administered the test, except where special education or Section 504 accommodations allow the opening of the book and turning of pages by someone other than the students. ~~No test booklets shall be viewed by any~~

~~person other than the student taking the test at the time of testing, except in the case of special education, Section 504, or ELL accommodations which allow a test administrator to assist a student being tested.~~

(6) **Inventory and accounting of test materials.** All test materials shall be inventoried by the school district upon receipt from the test publisher/contractor. Any discrepancies representing shortages in the quantity of materials supplied and the quantity needed for tests administered shall be reported immediately to the contracting company by the district test coordinator. Immediately upon receipt and inventory of materials, all tests, and other materials shall be locked in a secure place by the district test coordinator or school administrator.

(A) The site level distribution of test documents and materials may occur beginning one week prior to testing. Exceptions to the test materials distribution time limit needed by the largest districts in the state shall be registered with and approved by the ~~Student Assessment Section of the State Department of Education~~ Office of Accountability and Assessment at least four weeks prior to the first designated testing window of each year.

(B) During the days in which tests are being administered in each school district, all test administrators are responsible for locking all test materials in a secure place when the tests are not being utilized in the official test administration with students. This includes the time period between completion of the test administration and delivery of the answer documents and other test materials to the district test coordinator. Further, the building test coordinator is responsible for ensuring that materials are properly locked in a secure place at the times specified above.

(C) Test booklets are not to leave school buildings at any time (i.e., students' test booklets are not to be taken home by an employee or the community member/test monitor before, during, or after test administration has been completed). Exceptions to test booklets leaving a school site shall be made at the discretion of the State Department of Education Student Assessment Section for the purpose of secure transport to a site of instruction for the purpose of test administration, upon a written request from a District Test Coordinator. These requests must be registered with and approved by the Student Assessment Section at least four weeks prior to the first designated testing window of each year.

~~(7)~~(D) An accounting is to be conducted on all test booklets. Unused test booklets are to remain in "shrink-wrap" (or otherwise packaged) when possible. All unused tests are to be returned to the test publisher. Failure to return test booklets to the appropriate companies ~~(1)~~ will result in:

- (i) ~~A~~ school or district being reported to the State Superintendent; and
- ~~(2)~~(ii) ~~may result in~~ Possible invalidation of the school's and/or district's scores by the State Department of Education Office of Accountability and Assessment.

~~(8)~~(E) The contracting test publisher shall print electronically read identification codes on all documents containing secured test items prior to distribution of these materials to the public schools. Within all test program components of the OSTP, the contracting test publisher shall record the specific series of numbers (represented by the "bar codes") assigned to each school district and building site within a district. Inventory lists of test document bar codes by school site shall be provided for each district test coordinator.

~~(9)~~(F) The district test coordinator shall ship all answer documents and specified identification forms to the designated scoring/reporting company and all other test materials to the contracting test publisher in accordance with the schedule for return of materials provided in the Test Preparation Manual. If a district fails to return materials and answer documents in a timely fashion, the district may be penalized with additional costs and the test scores for the individual school(s) and/or district in question may be declared invalid. If a district fails to complete or incorrectly ~~complete~~ completes answer documents and/or demographic pages or other required testing-related materials, the district may be penalized with additional costs and may also receive a deficiency on the district accreditation report.

~~(10)~~(G) The contracting test publisher shall submit an inventory of test materials to the State Department of Education each year. This inventory shall document the quantity of materials distributed to each school district and received from each school district-- recorded by school site as indicated by the numbers represented by the "bar codes" printed on test materials. Quantities of writing assessment materials distributed to and retrieved from schools will be reported to the State Department of Education by the contracting test publisher.

~~(11)~~(H) School superintendents from whom incomplete quantities of materials have been received shall be notified of this discrepancy and shall be provided a date by which the remaining materials must be returned to the test publisher. The test publisher shall notify the Department of Education of all school districts from which test materials have not been received after this date. Names of these school districts shall be reported to the State Superintendent and may also receive a deficiency on the district accreditation report.

~~(12)~~(7) **Prohibition against reproduction of test materials.** ~~Reproduction in any form of any copyrighted test materials--including test documents, teachers' test administration manuals, and student pretest materials--is strictly prohibited. Photocopying of these materials constitutes a violation of federal copyright laws. To ensure that all school employees and community members are aware of this regulation and the laws in support of same, the district or building test coordinator shall post a sign to this effect over each copy machine. The Federal Copyright Law--as it applies to the multiple-choice and/or Writing Assessment Component of the OSTP--prohibits the photocopying of any part of the student Test Booklet. This includes the lined writing pages, the writing prompt, and the student's written response. This portion of the set of test documents, as well as the writing prompt, is considered protected under the copyright guidelines. [as is the writing prompt].~~ These items shall remain protected, and thus may not be copied, printed, or disseminated in any manner, until they are officially released by the OSDE.

~~(13)~~ Every test administered within the OSTP shall be administered by an education certified professional person employed by the school district.

~~(14)~~ No person shall teach test items to students (except in the case of an alternate special education assessment in which authentic performance tasks may be utilized), change students' answers, or in any manner provide answers to test questions for students before, during, or after test administration has been completed. Violation of this regulation may result in revocation of the person's teaching, counseling, administrative, and/or other certificate(s).

~~(15)~~ **Other test security violations.** All of the following actions are prohibited ~~in that such actions represent~~ as violations of test security:

(A) Teaching test items to students (except in the case of an alternate special education assessment in which authentic performance tasks may be utilized), changing students' answers, or in any manner providing answers to test questions for students before, during, or after test administration has been completed.

(AB) Using secured test items as instructional tools or for student "practice"—either verbatim as written or in reworded form. Note: Secured test items are those provided to measure student knowledge and/or skills on OSTP tests. Said items are to be differentiated from sample test items that are provided at the beginning of each subtest and used, according to official test administration procedures, solely for the purpose of understanding directions and marking answers.

(BC) Reading secured test items orally to students at any time before, after, or during test administration unless it is an IEP, Section 504, or ELL accommodation, in which case an affidavit shall be signed, prior to reading items, by the test administrator/reader stating they shall not reveal any test items, writing prompts, or other secured information to any person.

~~(C) Deviating from any instruction provided in the official test administration manual.~~

(D) Allowing students to view and/or read the writing assessment prompts before test administration or discussing or exposing the theme or topic of the prompt.

(E) Providing answers to secured test items. This includes provision of cues, clues, hints, and/or actual answers in any form--written, printed, verbal (oral), or nonverbal. In regard to the writing assessment component of the OSTP, prohibited actions include the provision of "hints" or any form of clues in regard to the manner in which students respond to the prompt (e.g., "brainstorming" about the topic of the prompt; offering suggestions regarding how to respond; assisting the student or class in organizing the response; and all other such deviations from the printed instructions for administering the test).

(F) Changing students' responses to secured test items and/or influencing or encouraging students to change their answers to test items at any time.

(GG) Deviating from any instruction provided in the official test administration manual or disclosure of any test information that materially inhibits the State Board of Education from exercising its duties set forth in 70 O.S. §1210.508 to develop, field-test, administer, and validate criterion-referenced tests and end-of-instruction assessments.

(169) **Test security forms.** Test Security Forms provided by the State Department of Education's test contractor(s) shall be distributed by the district test coordinator with test materials to the persons designated on each form.

(A) OSTP Test Security Forms shall be provided for the following:

- (i) Form 1: Superintendent and District Test Coordinator
- (ii) Form 2: Building Principal and Building Test Coordinator
- (iii) Form 3: Test Administrators and Test Monitors.

(B) After completing the test administration, these forms shall be signed by the designated persons and returned to the district test coordinator. The district test coordinator shall return all signed forms to the respective scoring company. Failure to sign and return the appropriate forms may result in:

- (i) a school or district being reported to the State Superintendent; and

(ii) ~~invalidation~~ Invalidation of a school's and/or district's test scores.

(17C) The contracting test companies shall provide the State Department of Education the signed OSTP Test Security Forms or a report of names of educators who signed SDE/OSTP Test Security Forms and an accounting of the number of tests and manuals:

(Ai) ~~distributed~~ Distributed to, and

(Bii) ~~returned~~ Returned from each school district.

(18)(b) **Test administration.** All test administration sessions shall be conducted according to the standardized procedures described in the test administrators' manuals. ~~This includes~~

(1) The standardized procedures include, but are not limited to:

(A) Reading ~~reading~~ the directions to students verbatim;

(B) Refraining ~~refraining~~ from allowing students to read test items before test timing begins and/or beyond the completion specified for each section of each test; and

(C) Ensuring ~~assuring~~ that only the materials designated for student test use are on the student's desk during test sessions. ~~Any violation of security provisions in Section 210:10-13-4 constitutes invalidation of the test and test results. Such violations shall be reported to the State Superintendent and may result in a school's and/or school district's test scores being declared as invalid.~~

(132) Every test administered within the OSTP shall be administered by an education-certified professional person employed by the school district.

(193) All test administration sessions shall be monitored by an adult other than the test administrator. All test monitors shall be approved by the superintendent or school principal. Superintendents and principals may designate school employees or noncertified members of the community to serve as test monitors.

(4) All test administration procedures including time specifications, State Board of Education Rules 210:10-13, and the Instructions for Test Monitors shall be distributed to test monitor(s) before test administration.

(b5) School administrators or their designee(s) shall assure that all test administration procedures replicate standardized testing conditions to preserve test validity. Such procedures are stated in the manuals for administering the test.

(c) Test security violations. Any violation of security provisions in this Section may constitute a basis for invalidation of the test and test results. Such violations shall be reported to the State Superintendent and may result in a school's and/or school district's test scores being declared as invalid.

(d) Penalties for test security violations. In addition to any other penalties set forth in this Section, the State Board of Education may revoke the teaching, counseling, administrative, and/or other certificate(s) issued by the State Board of Education to one or more individuals upon a finding of willful violation of any of the provisions set forth in (a)(8)(A) through (a)(8)(G) of this Section.

OAC 210:10-13-21. Academic Assessment Monitoring Program (AAMP)

(a) **Purpose.** The Oklahoma State Department of Education (OSDE) shall establish and implement the Academic Assessment Monitoring Program (AAMP) to evaluate school district implementation and compliance with both Federal and State law and regulations related to academic assessments. The rules will bring the state into compliance with the following state and federal statutes and regulations:

(1) Student Achievement and School Accountability Programs (SASA) for Formula Grant Programs,

(2) [Elementary and Secondary Education Act \(ESEA\) Section 9304](#) (a) (1) requires that a State Education Agency (SEA) ensure that programs authorized under the ESEA are administered in accordance with all applicable statutes, regulations, program plans, and applications,

(3) [ESEA Section 9304](#) (a) (B) requires that an SEA adopt and use proper methods of administering each ESEA program, including the correction of deficiencies in program operations that are identified through audits, monitoring, or evaluation,

(4) Section 80.40 of the [Education Department General Administrative Regulations](#) (EDGAR) requires an SEA to monitor grant and sub-grant activities to ensure compliance with applicable Federal requirements, and [70 O.S. § 1210.505](#) Student Assessment, Oklahoma School Testing Program (OSTP), and Oklahoma Administrative Codes ([OAC](#)) 210:10-13-2, 4, 6, 7, 9, 10, 11, 18, and 20.

(5) This monitoring program is intended to:

(A) Ensure the testing of all eligible students, proper training of school district staff is conducted, test security is maintained, assessments are administered consistently and in a uniform manner as mandated in the Oklahoma Administrative Codes ([OAC](#)) 210:10-13-2, 4, 6, 7, 9, 10, and 11;

(B) Ensure that the OSDE receives from districts data of the highest quality, as mandated in the Oklahoma Administrative Code ([OAC](#)) 210:10-13-4, 18, and 20, and;

(C) Assist the staff of the OSDE to better advise and partner with districts regarding accountability and assessments.

(b) **Applicable entities.** These rules are applicable to all public schools, districts, and other educational entities within the state that participate in the OSTP.

(c) **Schedule of district monitoring.** All public school districts will be monitored at least once during the five (5) year cycle.

(1) School districts shall be scheduled for monitoring using a random selection process. Of the districts to be monitored within a particular year, five (5) percent will be randomly selected for site monitoring. The remaining ninety-five (95) percent will be monitored using a desk monitoring procedure.

(2) Additional school districts may receive a special desk or on-site monitoring and compliance review based on any of the following criteria:

(A) Observed statistical irregularities or discrepancies with student assessment data Oklahoma Administrative Code ([OAC](#)) 210:10-13-18, and 20 (e.g., statistical improbable growth in the percentage of student scoring proficient, questionable erasure analysis, and/or unusual change in student demographics);

(B) An established pattern of testing violations identified in the Oklahoma Administrative Code ([OAC](#)) at 210:10-13-2, 4, 6, 7, 9, 10, 11, 18, and 20 or irregularities as reported to the OSDE (e.g., vendor reports, invalidations, improper test administration, failure to attend or conduct yearly training);

(C) Documented concerns (e.g., parent and community, noncompliance issues from prior years, other technical assistance requests), and/or;

(D) Testing irregularities discovered through previous annual random monitoring.

(d) **Notification of monitoring schedule.** The monitoring schedule will be updated on an annual basis and posted to the OSDE Web site. Any new school site and/or district will be added to the cycle when the yearly update occurs. School sites and or districts that cease operation within the state shall be removed from the list. The Office of Accountability and Assessments will notify the superintendent of the school district in writing at least ten (10) working days prior to the opening of the testing window that the school district will be

monitored during the upcoming testing window and will identify whether the monitoring will be on-site or desk monitoring. Additional schools monitored under (c) (2) of these rules, will be notified in writing at least twenty (20) working days before the opening of the testing window.

(e) **Monitoring procedures.**

(1) **On-site monitoring.**

(A) OSDE will send the district an On-site Monitoring Checklist ten (10) working days before the opening of a testing window to the District Superintendent and District Test Coordinator of the school district to be monitored.

(B) The superintendents of districts receiving an on-site monitoring notification letter will submit the district and site testing schedules to the OSDE, Office of Accountability and Assessments five (5) working days prior to the opening of the testing window. If a change in the testing schedule occurs by the district, prior to on-site monitoring, the district must notify the OSDE, Office of Accountability and Assessments immediately.

(C) The OSDE, Office of Accountability and Assessments notification letter of monitoring will indicate which site(s) within the district have been selected for monitoring.

(D) At a minimum, one elementary school, one middle school, and one high school site within the district will be monitored as applicable.

(E) If charter schools have been established within the school district, these sites may also be monitored.

(2) **Desk monitoring.**

(A) The staff of the Office of Accountability and Assessments will analyze across a 4 year period all pertinent testing and educational data for the school district being monitored (e.g., percent of students tested across cohort).

(B) The Desk Monitoring notification letter will indicate which site(s) within the district have been selected for monitoring.

(C) At a minimum, one elementary school, one middle school and one high school site within the same district will be monitored as applicable.

(D) If charter schools have been established within the school district, these sites may also be monitored.

(E) District Superintendents and District Test Coordinators of the school district to be monitored will receive a Desk Monitoring Checklist, ten (10) working days before the opening of a testing window. The section of the checklist titled, "District Provided Documentation" must be completed and documents returned to the Office of Accountability and Assessments of the Oklahoma State Department of Education within twenty (20) working days from the last testing day of the End-of-Instruction (EOI) online assessment window.

(f) **Failure to comply with state and federal regulations related to Academic Assessment.**

(1) The Office of Accountability and Assessments will provide monitoring results to the district superintendent forty-five (45) working days from the end of the 20 day submission date of the On-Site or Desk Monitoring documents from the school district being monitored. The monitoring results will inform a district that they have met or not met requirements of Subsection (a) of these rules related to student academic testing. Districts will be designated as in compliance if all requirements have been met, or if any monitored area is found deficient then the district and the school will be designated as noncompliant. If a district is designated as noncompliant, the Office of Accountability and Assessment staff will annually

- conduct monitoring activities until the district is in compliant status.
- (2) Districts that remain in noncompliance for two consecutive years will receive a deficiency on their accreditation report. **(10)**

OAC 210:10-13-6. Test inservice

Each district shall send a District Test Coordinator (DTC) and all building coordinators to the Oklahoma School Testing Program Pretest Inservice sessions. In addition, the District Test Coordinator must attend the Posttest Inservice sessions provided by the State Department of Education. School representatives attending such Pretest and/or Posttest sessions shall report to the school administration after the inservice sessions, providing all inservice materials and information gained. School principals shall assure that every OSTP test administrator is provided a copy of the *State Board of Education Rules OAC 210:10-13*. **(03)**

OAC 210:10-13-7. Return of documentation to testing company; completion of Pretest Survey

- (a) Answer documents from ALL students tested shall be returned to the respective scoring services after completion of the test administration.
- (b) School administrators or their designee(s) shall complete and return the Oklahoma School Testing Program Test Preparation Enrollment Survey as designated in the survey instructions on or before the deadline for return. **(06)**

OAC 210:10-13-9. Violations

- (a) All known violators of the State Department of Education's Rules for the OSTP shall be reported in writing to the State Superintendent of Public Instruction. The State Department shall investigate all such infractions and report the findings to the State Superintendent. (Responsibility for conducting such investigations shall be delegated to the State Agency personnel by the State Superintendent of Public Instruction.) The State Board of Education shall determine the consequences of such OSTP Test Security rule infractions and take action to apply punitive measures as the Board sees fit.
- (b) All reported allegations of Oklahoma School Testing Program Rules infractions will be documented and kept on record in the State Department of Education. In addition, action taken by the Department to investigate and, if necessary, impose consequences of rule infractions will be documented and filed. **(00)**

OAC 210:10-13-10. Requests to view or take possession of documents

Responses to requests to view or take possession of test documents shall be executed as specified herein. Documents shall include student test books containing secured test items; student answer sheets; and test administrator manuals. In order to maintain the security and validity of the testing materials, individuals making requests to view test documents must comply with the following procedural requirements:

- (1) Test viewing will NOT be allowed beginning one month before and extending throughout the testing window.
- (2) The person will submit a request to the State Department of Education's Office of Accountability and Assessment.
- (3) Viewing shall take place at the State Department of Education.
- (4) The viewing of test documents will be limited to no more than two viewers during a single time period.
- (5) The Assistant Superintendent of the Office of Accountability and Assessment or his/her designee will remain in the room during the viewing.

- (6) Students will not be allowed to view tests.
- (7) The viewing of assessment materials will not be allowed for professional development purposes.
- (8) Viewers of tests shall be prohibited from duplicating, paraphrasing, or summarizing test items in any form--by hand-written means or through use of any mechanical tool (i.e., audio or video tape recorder; copy machine; still picture camera; cell phones camera; or any other electronic or mechanical means.)
- (9) Tests and test materials shall be considered secured documents. No viewer shall be allowed to remove secured documents from the viewing room.
- (10) No unauthorized person shall be allowed to view an OSTP writing assessment prompt until after that prompt has been administered in Oklahoma as a test item. Viewing of writing test prompts shall be subject to the same procedures and conditions as viewing of other test materials.
- (11) Prior to the viewing of any test materials, all viewers shall sign an affidavit stating that
 - (A) they shall not reveal any test items, writing prompts, or other secured information to any person; and
 - (B) they shall not serve as a test administrator nor test monitor.
- (12) A student's answer sheet may be viewed only by the student's parent, legal guardian or by a student of legal age. Any person requesting to view student test documents shall provide proof of his or her status as the parent or legal guardian of the student whose documents are required for viewing. Proof of identification shall be provided in one of the following forms:
 - (A) the student's birth certificate; and
 - (B) a driver's license containing a picture of the requesting person; or
 - (C) other recognized official form of identification. In addition, the person shall provide proof of his or her status as parent or legal guardian of the student whose documents are requested for viewing.
- (13) When sufficient writing prompts are available, once writing assessments have been scored and reported, the SDE will provide the student essay responses to the individual student's home school district by electronic means. The information will be provided as a service to Oklahoma public schools for purposes related to instructional improvement only. Schools and districts receiving such data will make every reasonable effort to insure that these individual student testing results are secure and remain confidential. The SDE reserves the right to use these data for research and assessment improvement purposes. (09)

OAC 210:10-13-11. Testing students with disabilities

(a) Acceptable accommodations of the general assessments of the OSTP for students with disabilities shall be:

- (1) ~~specified~~ Specified in the student's IEP under the [Individuals with Disabilities Education Act \(IDEA\)](#); or
- (2) ~~specified~~ Specified for the student served under the [Americans With Disabilities Act](#) and [Section 504 of the Rehabilitation Act of 1973](#).

(b) ~~The~~ Any use of test accommodations which deviate from established standardized test procedures for the general assessments of the OSTP shall be reported to the State Department of Education's Student Assessment Section.

(c) Large print and Braille versions of the tests may be utilized with students whose visual disabilities necessitate such accommodations. The Student must be utilizing large print or Braille in daily classwork as indicated on the student's IEP on file at the school district. To

order large print or Braille tests, the district test coordinator shall indicate the quantities required at each grade level tested on the annual questionnaire.

(d) Students with disabilities who cannot be assessed in a valid and reliable manner with the general state assessment even with accommodations, as specified in the student's IEP, shall be assessed with an appropriate alternate assessment provided by the State Department of Education. Eligibility for an alternate assessment shall be determined annually by the student's IEP team. ~~Alternate assessments may include, but not be limited to, portfolio assessments or modified assessments.~~ The scores from alternate assessments shall be included in accountability calculations for the school, district, and state according to the standard AYP calculation procedures for calculation of academic performance targets, as specified in federal law.

(e) Students with the most significant cognitive disabilities shall participate in an Alternate Assessment Program (OAAP) and should not exceed a small percentage of the special education population. The OAAP shall be designed for students who are participating in an alternative curriculum based on the Curriculum Access Resource Guide (CARG).

(f) The OAAP shall consist of a portfolio assessment, which may include authentic performance tasks. A portfolio assessment is a collection of student-generated or student-focused products that exhibit the alternative approach to teaching the Priority Academic Student Skills (PASS). The portfolio shall be scored by teams of teachers supervised by an individual who has received training in providing access to students with severe or profound disabilities from the Office of Special Education of the State Department of Education. If authentic performance tasks are used, teachers completing the portfolio shall be provided with information regarding these tasks during a specified time prior to the completion of the portfolio.

~~(g) Students with cognitive disabilities that inhibit their ability to attain, even after receiving appropriate instructional interventions, grade level achievement standards within the same time frame as other students may demonstrate academic proficiency through participation in a statewide system of modified assessments. These assessments, the Oklahoma Modified Alternate Assessment Program (OMAAP), shall be based in the content drawn from the Priority Academic Students Skills (PASS) and shall be designed to be rigorous, reliable and valid measures of the academic content required of all students.~~

OAC 210:10-13-16. Student exceptions and exemptions related to graduation requirements for end-of-instruction exams

(a) **Definitions.** Words and terms in this section shall have the following meaning:

(1) **"Alternate method"** means demonstrating mastery of state academic content standards through an End of Course Project designed and approved by the State Board of Education. An End of Course Project is a project integrating and applying the knowledge and skills gained throughout a course to address a practical, real world challenge.

(2) **"Alternate test"** means a state or national test approved by the Oklahoma State Board of Education for one or more of the subject areas assessed by an end-of-instruction (EOI) exam, which equals or exceeds the rigor of the end of instruction EOI exam.

(3) **"Extenuating Circumstances"** means circumstances which are unexpected, significantly disruptive, beyond a student's control, and which may have materially affected his/her academic performance.

(4) "**Proficient/Satisfactory**" means achieving at least the minimum score for demonstrating mastery as defined by the State Board of Education on an academic achievement test of the Oklahoma School Testing Program (OSTP).

(b) **ACE graduation requirements.** In accordance with [70 O.S. § 1210.523](#)(A)-(E), students may graduate from a public high school with a standard diploma by demonstrating mastery in the state academic content standards for Algebra I; English II; and two of the following five: Algebra II, Biology I, English III, Geometry, and United States History. Students may demonstrate mastery by attaining at least a satisfactory or proficient score on the end-of instruction EOI exams or in the following ways: ~~way:~~

(1) Students who do not attain at least a satisfactory or proficient score on any of the ~~four required end-of instruction EOI exams in Algebra I, English II, and two of the following five: Algebra II, Biology I, English III, Geometry, and United States History~~ may be eligible to graduate with a standard diploma by completing at least one of the steps below until a satisfactory or proficient score is attained and all other graduation requirements are met:

(A) Students shall be provided one or more remediation opportunities and will either:

(i) Retake the ~~end-of instruction EOI exam(s)~~ needed to fulfill graduation requirements; ~~or~~

(ii) Score satisfactory or proficient on a State Board of Education approved alternate test in the subject area. The approved alternate test which may be taken prior to or subsequent to the end-of instruction EOI exam; or

(iii) Demonstrate mastery of the subject matter through an End of Course Project which includes meeting the level of mastery defined by the rubrics explained in paragraph (b)(2) of this section.

(B) School districts will only provide remediation for students while they are enrolled in public school.

(C) An alternate test may be used to meet the graduation requirements for more than one ~~end-of instruction EOI exam~~. A student may take more than one alternate test to meet the graduation requirements.

(D) Remediation opportunities will be outlined in the local school district remediation plan ([70 O.S. § 1210.523](#)). School districts shall document a student's failure to participate in remediation including written acknowledgement of the graduation requirements by the student's parent or guardian.

(E) School districts shall document a student's failure to complete test retake opportunities. Documentation shall include written acknowledgement by the student's parent or guardian of the graduation requirements related to ~~end-of instruction EOI tests~~.

(2) ~~Demonstration of~~ Students who have not attained a satisfactory or proficient score on one or more EOI exams needed to graduate may demonstrate mastery through an End of Course Project (Alternate Method).

(A) In order to demonstrate mastery and graduate through an alternate method on ~~end-of instruction EOI exams~~, students must complete an End of Course Project for Algebra I, Algebra II, Biology I, English II, English III, Geometry, or United States History. End of Course Projects will be designed by the State Department of Education and approved by the State Board of Education.

(i) End of Course Projects for English II and English III must include a response to literature and a writing sample of comparable rigor to ~~the end of instruction~~ EOI exams.

(ii) End of Course Projects for Biology I must include the process standards as assessed through laboratory experiments.

(B) End of Course Projects shall be classified by the State Department of Education and submitted to the State Board of Education for approval in three different categories: Category A, Category B, or Category C. Category A projects shall be offered to all students who choose the Alternate Method. Category B projects shall be offered as an Alternate Method to students as directed by an IEP and/or LIEP, and shall incorporate additional, varied approaches for students to demonstrate mastery of the state academic content standards. Category C projects shall be offered as an Alternate Method to students with the most significant cognitive disabilities and shall be designed for students who are participating in an OAAP assessment for that subject area in accordance with the student's IEP.

(C) School districts shall submit completed student End of Course Project(s) to the State Department of Education by April 1, August 1, or November 1 of each year. Projects will be evaluated and returned within 45 business days. Subject to the availability of funds, the State Department of Education may contract with individuals, educational institutions, or companies to evaluate these End of Course Projects. Evaluators shall use rubrics approved by the State Board of Education for determining student mastery of state academic content standards through End of Course Projects. If funds are not available, End of Course Projects will be evaluated at the local school district level according to requirements of the State Board of Education, and school districts shall submit reports of all student End of Course Project(s) either in progress or completed by April 1, August 1, and November 1 of each year.

(D) End of Course Projects must be retained for a minimum of 5 years from completion.

(3) Students who do not receive instruction in Oklahoma public schools may demonstrate mastery in required subjects by submitting documentation of proficiency on an equivalent state ~~end of instruction~~ EOI exam(s) in the state in which instruction was received; attaining at least a satisfactory or proficient score (as defined by the Oklahoma State Board of Education) on the Oklahoma ~~end of instruction~~ EOI exam(s); meeting the approved level of proficiency on an alternate test(s); demonstrating mastery through an End of Course Project(s) as described in (b)(1) and (b)(2) of this section.

(4) Students who do not have an opportunity to take required ~~end of instruction~~ EOI exams without extending the date of graduation may demonstrate mastery in required subject areas by meeting the approved level of proficiency on an alternate test(s) or an End of Course Project(s).

(5) Students who have an Individualized Education Program (IEP) in accordance with the [Individuals with Disabilities Education Act \(IDEA\)](#) may demonstrate mastery of state academic content standards through a modified proficiency score on the state assessment(s) as established by the IEP Team. Any deviation from the standard conditions, accommodations, or proficiency score on the state assessment(s) must be established on the student's IEP, and shall be recorded on the student's cumulative record.

(6) Students who have an Individualized Education Program (IEP) in accordance with the Individuals with Disabilities Education Act (IDEA) that directs that the student is to be assessed with alternate achievement standards through the Oklahoma Alternate Assessment Program (OAAP) may demonstrate mastery of state academic content standards upon a determination by the school district that the student has met all of the following criteria:

(A) The student's special education teacher of record, after consultation with the student's teacher in each subject in which the student failed to meet the requirements of (b) of this Section, provides the student with a written recommendation that the student should graduate with a standard diploma. The written recommendation shall be signed by the special education teacher of record, and shall include:

- (i) A signed written statement by the principal of the student's school indicating support of the recommendation for graduation; and
- (ii) Documentation demonstrating the acquired knowledge of the student by alternate measures as required by the IEP;

(B) The student completes remediation opportunities to the extent required by the IEP;

(C) The student retakes the exam in each subject in which the student failed to meet the requirements of (b) of this Section if the IEP requires retake opportunities;

(D) The student maintains at least a "C" average or the equivalent in each subject in which the student failed to meet the requirements of (b) of this Section; and

(E) The student meets all other graduation requirements of the school district in which the student is enrolled.

(7) Students who have scored ten percent (10%) above the cut scores annually approved by the State Board of Education on a designated alternate test shall have been deemed to have satisfactorily demonstrated mastery of state academic content standards in the subject area for which the alternative test has been approved by the State Board of Education and shall be exempt from taking the EOI exams in the corresponding subject area for which the alternate test has been approved. For purposes of this paragraph, the designated alternate tests shall be limited to the following exams:

(A) The American College Testing Program (ACT);

(B) The Scholastic Aptitude Test (SAT); or

(C) The ACT Plan or Preliminary Scholastic Aptitude Test/National Merit Scholarship Qualifying Tests (PSAT/NMSQT).

(8) Students who have attained a score that is equal to or above the cut scores annually approved by the State Board of Education on a designated alternate test shall have been deemed to have satisfactorily demonstrated mastery of state academic content standards in the corresponding subject area for which the alternate tests has been approved by the State Board of Education and shall be exempt from taking the EOI exams in the corresponding subject area ~~Algebra II, English III, Geometry or United States History~~ for which the alternate test has been approved. For purposes of this paragraph, the alternate tests shall be limited to the following exams:

(A) Advanced Placement (AP) course exams;

(B) The ACT WorkKeys job skills assessment;

(C) College Level Examination Program (CLEP) exams; or

(D) International Baccalaureate (IB) exams.

(9) The exemptions and exceptions set forth in this Section pertain only to ACE end-of instruction graduation requirements. Nothing in this subsection shall be interpreted as exempting students from the course graduation requirements for completion of curriculum units or sets of competencies at the secondary level as set forth in 70 O.S. §11-103.6.

~~(6)(10)~~ Each year beginning with the 2011-2012 school year, school districts shall report to the State Department of Education through the School District Reporting Site, by school site, the number of students issued standard diplomas based on the exceptions and exemptions outlined in these rules, including the categories of exceptions and exemptions granted.

(c) **ACE cumulative record.** Beginning with students entering the ninth grade in 2008-2009, ~~in~~ In order to facilitate the monitoring of student progress toward meeting the graduation requirements of [70 O.S. § 1210.523](#), districts will maintain an Achieving Classroom Excellence (ACE) Demonstration of Mastery cumulative record for those students who do not attain at least a satisfactory or proficient score on any of the required ~~end-of-instruction~~ EOI exams. All school districts in the state shall use this cumulative record uniform document, or all information required on the uniform document must be contained within the district's student information system. The State Department of Education will provide an electronic version of this cumulative record to the districts. This cumulative record shall accompany the student when transferring to a new district. For each student who meets the graduation requirements, the student's transcript shall read, "The student has met the graduation requirement of demonstrating mastery in the state academic content standards."

(d) **Appeal of denial of a standard diploma.** Any student who has been denied a standard diploma by the school district in which the student is or was enrolled for failing to meet the educational requirements of [70 O.S. § 1210.523](#) may appeal the denial to the State Board of Education in accordance with the following procedures:

(1) **Who may petition for appeal.** Petitions for appeal of a denial of a student diploma may be filed by the following:

(A) A parent or legal guardian of a student or an individual who has been issued letters of guardianship of the person of a student pursuant to the Oklahoma Guardianship and Conservatorship Act, or an adult who has assumed permanent care and custody of a student in accordance with local district policies and [70 O.S. §1-113](#)(A)(1) may file an appeal with the State Board of Education as a petitioner on behalf of the student if the student is either considered a minor child as of the date of denial of the student's diploma; if the student is considered legally incompetent as of the date of denial of the student's diploma; or both.

(B) A student who is not otherwise considered legally incompetent may file a petition for appeal directly with the State Board of Education as a petitioner if the student has either:

- (i) Obtained the legal age of majority set forth under Oklahoma law; or
- (ii) Rights of majority have been conferred upon the student by a judicial order recognized by the courts of the State of Oklahoma.

(C) A school, school district, or local school board in which a student is or was enrolled may not name itself as a Petitioner for a student or file a petition on behalf of a student. Any petition for appeal submitted by a school district as a petitioner on behalf of a student shall be grounds for automatic dismissal of the petition for appeal.

(2) **Filing requirements.** A petition for appeal must comply with the following requirements:

(A) **Time of filing.** A notice of appeal must be submitted in writing for filing to the Secretary of the State Board of Education within thirty (30) days after the date the student, parent(s) of the student, or legal guardian of the student receives a written notice of denial of a standard diploma issued by the school district or local board of education. In absence of receipt of a written notice of denial of a standard diploma, a diploma shall be deemed denied if not granted within ninety (90) days of the last day of the last semester of the last school year in which the student attended school.

(B) **Method of filing.** Petitions for appeal may be submitted for filing to the Secretary of the State Board of Education in person or by mail. A petition submitted for filing by mail may be accepted for filing if the mailing envelope contains a postmark dated on or before the date of the filing deadline.

(C) **Verification of a petition for appeal.** The petition for appeal must be signed by the petitioner(s) and the school district's Superintendent or the Superintendent's legal designee, for the purpose of verifying that, to the best of the individual's knowledge, the information submitted in the appeal is accurate and correct.

(D) **Acceptance of a petition for filing.** Upon receipt of the petition for appeal, the Secretary of the Board shall acknowledge receipt of the request in writing and notify the student and/or parent or legal guardian when the appeal shall be submitted to the State Board of Education for action. All timely filed petitions for appeal shall be brought to the State Board of Education for action. The Board shall take action on the petition no later than forty-five (45) days after the date of receipt of a timely-filed petition.

(3) **Review of petitions.** The State Board of Education shall appoint a committee consisting of employees of the State Department of Education to assign a case number for reference, review the petitions for appeal, and identify the basis for which the standard diploma was denied.

(A) **Factors considered in recommending acceptance or denial of an appeal.** The committee shall make a recommendation of action on the appeal to the State Board of Education based on the following criteria:

- (i) Completion and scores of ~~end-of-instruction~~ (EOI) exams;
- (ii) Remediation and retests of ~~end-of-instruction~~ (EOI) exams;
- (iii) Completion and scores of Alternate tests approved by the State Board of Education;
- (iv) Completion of End of Course Projects approved by the State Board of Education;
- (v) Completion or scores of alternative methods approved by the State Board of Education;
- (vi) The existence of an extenuating circumstance, as defined in section (a) of this rule;
- (vii) The availability of testing opportunities;
- (viii) Other methods identified by the student, which demonstrate mastery of state academic content standards, referenced in section (b) of this rule, not to include completion of the course;

- (ix) The exhaustion of reasonable alternative methods and exemptions and exceptions approved by the State Board of Education, including the existence of extenuating circumstances; and
- (x) Whether action is appropriate based on the statutory language of [70 O.S. § 1210.523](#). Petitions for appeal which are untimely filed shall be submitted to the Board with a recommendation for denial based upon untimeliness.

(B) **Deficiencies in petitions for appeal.** The State Board of Education may provide petitioners with an opportunity to remedy deficiencies in an appeal filed in an inaccurate or incomplete manner in accordance with the following procedures:

- (i) Prior to submission to the State Board of Education with a recommendation for denial based upon a deficiency in the petition, the petitioner shall be notified in writing of the deficiency in the appeal and provided five (5) business days from the receipt of written notification to resolve any deficiencies identified in the petition for appeal.
- (ii) Within five (5) business days from receipt of the written notification of deficiency, Petitioner shall either:
 - (I) Provide the Board with all information and/or documentation necessary to remedy the deficiency; or
 - (II) In the event a petitioner requires additional time to remedy the deficiency, Petitioner may request a stay/continuance of thirty (30) calendar days and provide the Board a signed waiver of the forty-five (45) day deadline in accordance with subparagraph (4)(A) of this section. Failure by a petitioner to complete the steps necessary to timely remedy a deficiency in a petition in accordance with the procedures set forth in (d)(3)(B)(ii) shall result in a recommendation submitted to the State Board of Education for denial based on deficiency.

(C) Upon completion of review of the petition, the committee shall submit to the Board:

- (i) A copy of each petition for appeal;
- (ii) A written explanation of the petition;
- (iii) Copies of all evidence and/or documentation submitted to the Board by a petitioner in support of the appeal;
- (iv) Any additional information that may be necessary for the Board to take action;
- (v) A recommendation of either acceptance or denial of the petition.

(4) **Dismissals of petitions for appeal.** At any time after filing, a petition for appeal may be dismissed by the Board prior to final action in accordance with the following procedures:

- (A) Grounds for dismissal of a petition may be based upon a demonstration of evidence of one or more of the following circumstances:
 - (i) The appeal has been rendered moot (e.g., petitioner subsequently meets all ACE requirements during the pendency of the appeal);
 - (ii) Appeal is filed by a party who is not a proper petitioner as set forth by (d)(1) of this section;
 - (iii) The appeal is premature (e.g., petitioner's diploma has not yet been denied);

(iv) Denial of diploma was based on factors unrelated to failure to demonstrate mastery of state academic content standards set forth in [70 O.S. § 1210.523](#) (e.g., denial based upon lack of credit hours necessary to meet graduation requirements set forth in [70 O.S. § 11-103.6](#));

(v) Inaction by Petitioner (e.g., failure to timely respond to requests for additional evidence or information from the State Board) or

(vi) Dismissal is requested by the Petitioner.

(B) Prior to dismissal, petitioner shall be provided with reasonable notice of intent to dismiss the appeal and opportunity to respond in accordance with the following procedures:

(i) The notice of intent to dismiss the appeal shall conform to the requirements of notice set forth in [75 O.S. § 309](#), and shall include:

(I) A statement notifying the Petitioner of the forty-five (45) day time requirement set forth in [70 O.S. § 1210.523](#);

(II) A statement providing the Petitioner with five (5) business days from Petitioner's receipt of notice of intent to dismiss, to respond to the notice of intent to dismiss by either submitting a written opposition to dismissal, or requesting a stay/continuance of the action in accordance with the procedures set forth in (d)(5)(A) of this section; and

(III) A statement that Petitioner's failure to respond to the notice of intent to dismiss within five (5) business days from Petitioner's receipt of notice of intent to dismiss the appeal may result in dismissal of the petition by the Board without further action on the appeal.

(5) Notice of action on petition recommended to the Board. Following review of the petition for appeal, the Petitioner shall receive written notification as to the recommended action (i.e., acceptance or denial of the petition) that will be presented to the State Board. Written notification of the recommended action must be received by the Petitioner at least five (5) business days prior to the meeting of the State Board of Education in which the recommendation will be presented.

(A) At any time prior to final action on the appeal, the State Board may grant a stay or continuance of an action on an appeal upon receipt of a motion for continuance by Petitioner and a written waiver by Petitioner of the forty-five (45) day deadline for action upon an appeal set forth at [70 O.S. § 1210.523](#) and accompanying rules.

(B) Recommendations for denial of a petition for appeal shall be based upon the grounds set forth in paragraph (d)(3) of this section.

(6) Action on a petition for appeal. After review of the petition for appeal in accordance with the procedures set forth in (d)(3) of this section, the State Board of Education shall take action on a petition for appeal based on the merits of the written information provided in the appeal.

(A) The Board shall consider a petition for appeal in the form of a "Consent Docket," which shall be considered as one item.

(B) Any member of the Board may request that a petition for appeal be removed from the "Consent Docket" for discussion or to be separately considered. If such a request is made, the matter shall be removed from the docket and presented for individual action by the State Board of Education.

(C) In the event the Board determines that there is insufficient evidence in order to make an effective or proper ruling on the appeal, the State Board of Education may, by a vote of the majority of members, remove a petition for appeal from the "Consent Docket" and set a hearing for further review and consideration in accordance with the procedures set forth at (d)(7) of this section.

(7) Procedures for hearings on appeal of a petition. If the Board determines a hearing is necessary, the Secretary of the Board shall conduct a hearing in accordance with the Oklahoma Administrative Procedures Act, [75 O.S. § 309](#) et seq. and with the following procedures:

(A) The Board shall provide the Petitioner(s) and all interested parties, if any, with reasonable notice of the hearing and opportunity to appear at the hearing to present explanation of the petition, evidence submitted to the Board, and/or any additional information that Petitioner believes may be necessary for the Board to take action. Any proper party to the appeal shall have the right to designate legal counsel to appear and act for and on behalf of the party represented, provided that such counsel must be duly licensed to practice law by the Supreme Court of Oklahoma.

(B) In addition to the contents of the notice required by [75 O.S. § 309](#), the notice shall also advise Petitioner of:

(i) The forty-five (45) day time requirement set forth in [70 O.S. § 1210.523](#);

(ii) Petitioner's opportunity to submit a motion and waiver of Petitioner's right to final action of the board along with a waiver of the forty-five (45) day time requirement in accordance with the procedures set forth in (d)(5)(A) of this section; and

(iii) A statement that Petitioner's failure to respond to the notice of petition and/or appear at the hearing, may result in dismissal of the petition for appeal.

(C) The school district in which the student is or was enrolled shall be named as an "Interested Party" and shall be provided with notice and opportunity to appear and present evidence at the appeal hearing before the State Board of Education.

(D) The determination of the State Board of Education shall be considered a final agency order, shall be issued in writing, and shall conform to the requirements of final agency orders set forth in [75 O.S. § 312](#).

(e) Exceptions and Exemptions to Student Requirements to Demonstrate Mastery of State Academic Content Standards. The State Board of Education may approve the petition for appeal of students and grant a waiver of one or more EOI assessments for students who have provided evidence of the existence of at least one of the following:

(1) Facts documenting events, conditions, or situations which fall within the definition of "extenuating circumstances" set forth in paragraph (a)(3) of this section; or

(2) Demonstration of mastery of the state academic content standards referenced in subsection (b) of this rule, by successful completion of a higher level course in the same subject matter and attaining a satisfactory or proficient score in an end of instruction EOI exam in that same course..

(f) Reporting appeal data. By September 1 of each year, each school district shall report to the State Department of Education all data necessary for the Board to complete the annual report required pursuant to [70 O.S. § 1210.523](#) by the October 1 deadline. The report provided to the State Department of Education shall include, at a minimum, the total number of students

in the school district who filed petitions for appeal of denials of diplomas which occurred in the previous school year, and the total number of those petitions filed which were granted. Data shall include subtotals of number of appeals filed and granted for each school site. Information collected pursuant to state statute shall be made available to the district's Regional Accreditation Officer (RAO) during the accreditation process.

(g) Re-enrollment for remediation. Students who have successfully completed all courses necessary to graduate from high school with a standard diploma but were denied a standard diploma for failing to meet the graduation requirements 70 O.S. § 1210.523 shall be eligible for re-enrollment in the school district that denied the student a standard diploma until the student has reached the age of twenty-one (21) years old. Enrollment shall be solely for the purpose of obtaining all remediation and/or intervention and opportunities necessary for the student to demonstrate mastery of state academic content standards in the subject area or areas in which the student failed to demonstrate mastery in accordance with the requirements of this Section. Students who re-enroll in the school district pursuant to this subsection shall be exempt from the hourly instructional requirements of 70 O.S. § 1-111 and the six-period enrollment requirements of 70 O.S. § 11-103.6. State aid funding for students enrolling part time in accordance with the provisions of this subsection shall be calculated in accordance with the provisions of 70 O.S. § 1210.526(D).

(h) Oklahoma School for the Blind and the Oklahoma School for the Deaf. The Oklahoma School for the Blind and the Oklahoma school for the Deaf shall be deemed local education agencies ("LEAs") solely for the purposes of purchasing, administering and obtaining results for the EOI exams necessary to comply with the requirements of 70 O.S. §1210.523 for the students attending their schools.

(14)

OAC 210:10-13-22. Implementation of a system of school improvement and accountability

(a) Purpose. Accountability for student learning is the key focus of school improvement. Results from the statewide assessment program shall form the basis of the system of school improvement and accountability. Student achievement data from the State's annual standardized assessments in grades three (3) through eight (8) and end-of-instruction tests administered under [Section 1210.508 of Title 70](#) shall be used to establish both proficiency levels and annual progress for individual students, school sites, school districts, and the State. Results shall further be used as the primary criteria in calculating school performance grades as specified in subsection (f) of this rule and shall be annually reported. Results may further be used by the Legislature in calculating any performance-based funding policy that is provided to public school districts. The statewide assessment program shall be used to measure the annual learning gains of each student toward achievement of the State standards appropriate for the student's grade level and to inform parents of the educational progress of their public school children.

(b) ~~Implementation~~ Overview and implementation. The A-F school accountability system will be implemented in the year 2012, based on data from the 2011-2012 school year, and shall be reported annually thereafter. The school accountability system will be considered to be fully implemented with the following accountability elements:

(1) Designation of overall school performance grades shall be based on a combination of the following:

(A) ~~Thirty three~~ Fifty percent (50%) on whole school performance, as measured by allocating one (1) point for each student test who scores proficient or advanced on the criterion-referenced tests and end-of-instruction tests administered to students pursuant to the provisions of, based on the Oklahoma

School Testing Program at [70 O.S. §§ 1210.508 and 1210.523](#), summing the points, and dividing the points by the total number of students taking the tests; assessments in grades three (3) through twelve (12);

(B) ~~Seventeen~~ Twenty-five percent (17%)(25%) on whole school growth, annual student learning gains as measured by allocating one (1) point for each student tested who maintains a score of "Proficient" or above, improves proficiency levels, or improves substantially within a proficiency level on the State's annual standardized assessments in reading and mathematics in grades three (3) through eight (8); and Algebra I and English II end-of-instruction tests administered to students pursuant to the provisions of the Oklahoma School Testing Program at [70 O.S. § 1210.508](#), summing the points, and dividing the points by the total number of students taking the tests;

(C) ~~Seventeen~~ Twenty-five percent (17%)(25%) on annual student learning gains for growth of the lowest twenty-five percent (25%) of students in the school, as measured by allocating one (1) point for each student tested in the bottom twenty-five percent (25%) who maintains a score of "Proficient" or above, improves proficiency levels, or improves substantially within a proficiency level on the State's annual standardized assessments in reading and mathematics in grades three (3) through eight (8); and Algebra I and English II end-of-instruction tests administered pursuant to the provisions of the Oklahoma School Testing Program at [70 O.S. § 1210.508](#), summing the points, and dividing the points by the total number of students taking the tests. as required by [70 O.S. §1210.545](#); (D) ~~Thirty three percent (33%)~~ on whole school improvement, based on the factors listed in sub-section (f)(4) of this rule.

(2) In addition to the three criteria listed in (b)(1) of this Section, bonus points shall be calculated in accordance with the criteria set forth in (g) of this Section and added to the subtotal of component points to create a final report card index of points used to calculate the overall school performance grade of each school site.

~~(2)(3)~~ Schools shall earn a separate performance grade for each of the four three criteria listed in ~~sub-sections~~ (b)(1) and (f) of this ~~rule~~Section. Additionally, schools shall earn an overall performance grade based on a combination of the criteria listed in ~~sub-sections~~ (b)(1) and (f) and the bonus points earned in accordance with ~~(g)(f)~~ of this ~~rule~~ Section.

~~(3)(4)~~ To ensure that student data accurately represent school performance, schools shall be required to assess at least ninety-five percent (95%) of eligible students to earn a school performance grade. Failure to assess at least ninety-five percent (95%) of eligible students will result in a letter grade reduction in the school's overall school performance grade. Schools assessing less than ninety percent (90%) of eligible students will result in the school earning an overall performance grade of F.

(c) School Accountability for Student Performance. All schools shall be accountable for performance. Each school is accountable for the performance of its entire student population. Student achievement data from the State's annual standardized assessment and end-of-instruction tests administered in this State shall be used to measure a school's student performance for the subject areas of reading, mathematics, social studies, science and writing.

(d) Reporting Student Achievement Data for School Accountability. Student achievement data shall be reported for all students in a school. Each year, reports of achievement data for all students shall be prepared for each school, each district, and the State. District reports shall be calculated in the same manner as a school site, aggregated at the student level and calculated in accordance with the requirements of [70 O.S. §§ 1210.545\(B\), \(D\) and \(I\)](#).

(1) The scores will be computed from the number of eligible students enrolled in the school. Eligible students shall include all students enrolled for the full academic year ("FAY") in the school and taking the State's annual standardized assessments or end-of-instruction tests. For end-of-instruction exams, only ~~Only~~ first opportunity students are included in the calculation of eligible students. A full time student shall be considered a "FAY" student if the student, has been continuously enrolled from October 1 of the school year through and including the date of administration of the exam and has not experienced an enrollment lapse of ten (10) or more consecutive days. The FAY determination shall be based on continuous enrollment and shall not be based on attendance determinations.

(2) All eligible students, regardless of disability or limited English proficiency classification, with valid state standardized assessment scores in reading and math in both the current school year and the previous school year are included in ~~paragraphs~~ (f)(2) and (f)(3) of this ~~rule~~Section regarding the determination of student learning gains. In addition, the inclusion of these students shall be applied to ~~sub-section~~ (b)(3) of this ~~rule~~Section, regarding the percentage of students assessed. Current and previous school years' reading and math scores for students with disabilities assessed on the State's annual standardized alternate assessment shall be included in the determination of test scores, including achievement ~~and improvement~~ addressed in ~~sub-sections~~ (f)(1) and (f)(4) of this ~~rule~~Section.

(3) The Superintendent of Public Instruction is authorized to designate a single school performance grade for schools that serve multiple levels: elementary and/or middle and/or high school grade levels. Designations shall be made based on the highest grade level offered by the school.

(A) If the highest grade offered by a school site is the sixth (6th) grade or below, the school shall be graded according to elementary school criteria.

(B) If the highest grade offered by a school site is the (7th) through tenth (10th) grade, the school shall be graded according to the middle school criteria. Schools in this category shall not earn advance coursework credit for ninth and tenth grade students completing high school coursework unless the course qualifies as advanced coursework pursuant to ~~subsection (f)(4)(A)(ii) or (f)(4)(B)(i)~~ (g)(1)(B) or (g)(2)(A) of this Section.

(C) If the highest grade offered by a school site is the eleventh (11th) or twelfth (12th) grade, the school shall be graded according to high school criteria.

(4) The State Department of Education will verify that each school is appropriately classified by type before the issuance of school grades. School type is defined as the school level designation of a school based on the grade levels served: elementary, middle, high, or a combination across levels.

(5) For purposes of (f) of this Section, the determination of the proficiency level of eligible students exempted from one or more end-of-instruction exams in accordance with the requirements of 70 O.S. 1210.523 and the accompanying rule at 210:10-13-16(b)(7)-(8) shall be based upon the cut scores approved by the State Board of Education. Points shall be awarded and calculated for each "Proficient" or "Advanced" score in accordance with (f) of this Section.

(e) **School Performance Grades.** The measure of school accountability shall be the school performance grade. The Oklahoma State Board of Education is authorized to designate a school performance grade for each school that:

(1) For purposes of calculating student achievement pursuant to ~~subsection~~(f)(1), has at least ten (10) eligible students with valid student state standardized assessment scores.

(2) For purposes of calculating student growth pursuant to ~~subsection~~ (f)(2), has at least ten (10) eligible students with valid student state standardized assessment scores or end-of instruction test scores in reading or math in both the current and the previous school years.

(3) For purposes of calculating ~~student~~ growth of the lowest twenty-five percent (25%) of students pursuant to ~~subsection~~ (f)(3), has at least ten (10) eligible students with valid student state standardized assessment scores or end-of-instruction test scores in reading or math in the current and previous school years.

(4) A school shall not earn a grade for any component or criteria unless minimum N-size requirements established pursuant to this rule are met. Performance designations shall be made using School Performance Grades A+, A, A-, B+, B, B-, C+, C, C-, D+, D, D- and F. School performance grades shall be based on the assessments and criteria as specified in ~~subsection~~ (f) of this rule Section and bonus points as specified in (g) of this Section. The Superintendent of Public Instruction is authorized to establish and adjust appropriate achievement level criteria to the extent allowed by law for submission to the State Board of Education for final approval.

(f) Criteria for Designating School Performance Grades. Overall school performance grades shall be based on a combination of the bonus points calculated in accordance with (g) and the four points calculated in accordance with the three criteria outlined in ~~sub-section~~ (b)(1) of this rule Section: (1) whole school performance; student achievement scores; (2) whole school growth; annual learning gains; and (3) growth improvement of the lowest twenty-five percent (25%), ~~and (4) whole school improvement.~~

(1) ~~Student achievement/~~**Whole school performance index.** Student achievement scores are represented through a performance index, aggregated for each school, calculated based on all state standardized assessments and/or end-of-instruction tests collectively, and by each subject area. A point value shall be given to each exam based on proficiency score. Points shall be summed and divided by the number of exams administered to eligible students.

(A) Points shall be assigned based on the following criteria:

- (i) Unsatisfactory = 0
- (ii) Limited Knowledge = 0
- (iii) Proficient = 1.0
- (iv) Advanced = 1.0

(B) A letter grade shall be earned based on the following criteria:

- (i) 90 points or Above = A
- (ii) 80 – 89 points = B
- (iii) 70 – 79 points = C
- (iv) 60 – 69 points = D
- (v) 59 points or Below = F

~~(2) Student~~ **Whole school growth index.** Annual learning gains in reading and math are represented through a growth index, aggregated for each school. The score shall be calculated in whole and by subject-matter by assigning ~~points~~ one point for each student who improves a positive change in proficiency level ~~levels~~ or improves substantially within a proficiency level for eligible students from the previous school year to the current school year, divided by the number of students taking the tests. ~~or~~

by a positive change in Oklahoma Performance Index (OPI) score that meets or exceeds the State average of students with a positive OPI change.

(A) This calculation represents the number of eligible students who have:

- (i) Improved their state standardized assessment achievement level or state standardized alternative assessment achievement level, as applicable, from the previous school year to the current school year; or
- (ii) Improved their state standardized assessment achievement level or state standardized alternative assessment achievement level and such change in OPI from the previous school year to the current school year met or exceeded the State average of students with a positive OPI change; or
- (iii) Maintained their proficient or satisfactory achievement level on the state standardized assessment or state standardized alternate assessment, as applicable, from the previous school year to the current school year.

(B) The growth index shall be calculated based on improved state standardized assessment and end-of-instruction test performance from the previous school year to the current school year. The growth index shall be calculated by subject-matter and by assigning a point value to the change in proficiency score from the previous year to the next. Points based on student gains shall be summed and divided by the number of exams administered, and shall include only eligible students for whom comparative test scores exist. Points shall be assigned based on the following criteria:

- (i) Change from Unsatisfactory to Limited Knowledge = 1.0
- (ii) Change from Unsatisfactory to Proficient or Satisfactory = 1.0
- (iii) Change from Unsatisfactory to Advanced = 1.0
- (iv) Change from Limited Knowledge to Proficient or Satisfactory = 1.0
- (v) Change from Limited Knowledge to Advanced = 1.0
- (vi) Change from Proficient or Satisfactory to Advanced = 1.0
- (vii) Remain Proficient or Advanced from Year 1 to Year 2 = 1.0
- (viii) Remained at Unsatisfactory from Year 1 to Year 2 and Meets or Exceeds State Average Positive Change or remained at Limited Knowledge from Year 1 to Year 2 and Meets or Exceeds State Average Positive Change = 1.0
- (ix) Remained at Unsatisfactory from Year 1 to Year 2 and Fails to Meet or Exceed State Average Positive Change or remained at Limited Knowledge from Year 1 to Year 2 and Fails to Meet or Exceed State Average Positive Change = 0
- (x) Remained at Unsatisfactory from the previous school year to the current school year, or remained at Limited Knowledge from the previous school year to the current school year, but demonstrates substantial improvement within a proficiency level = 1.0

(C) For purposes of this subparagraph, a student's improvement within a proficiency level will be considered "substantial improvement" if the student demonstrates an increase in Oklahoma Performance Index ("OPI") score from the previous school year to the current school year that meets or exceeds the average positive increase amongst all students in the State who increased their OPI score from the previous school year to the current school year.

~~(C)~~(D) A letter grade shall be earned based on the following criteria:

- (i) 90 points or Above = A
- (ii) 80 – 89 points = B
- (iii) 70 – 79 points = C
- (iv) 60 – 69 points = D
- (v) 59 points or Below = F

(3) **Growth of the lowest twenty-five percent of students.** Improvement of the lowest twenty-five percent (25%) of students in reading and math shall be aggregated, as required by [70 O.S. § 1210.545](#). The score shall be calculated in whole and by subject-matter by assigning ~~points~~ one point for each student in the bottom quartile who improves a positive change in proficiency score levels or improves substantially within a proficiency level for eligible students from the previous school year to the current school year, ~~divided by the number of students taking the test. or by a positive change in Oklahoma Performance Index (OPI) score that meets or exceeds the State's positive average change.~~

(A) The calculation of a positive change in OPI score that meets or exceeds the State's average growth represents the number of eligible students who have:

- (i) Improved their state standardized assessment achievement level or state standardized alternative assessment achievement level, as applicable, from the previous school year to the current school year; or
- (ii) Retained their state standardized assessment achievement level or state standardized alternative assessment achievement level and such change in OPI from the previous school year to the current school year met or exceeded the State average of students with a positive OPI change.

(B) The score shall be based on improved state standardized assessment and end-of instruction test performance from the previous school year to the current school year. Points based on student gains shall be summed and divided by the number of exams administered, and shall include only eligible students for whom comparative test scores exist. The growth of the lowest twenty-five percent (25%) shall be calculated based on the following criteria:

- (i) Change from Unsatisfactory to Limited Knowledge = 1.0
- (ii) Change from Unsatisfactory to Proficient or Satisfactory = 1.0
- (iii) Change from Unsatisfactory to Advanced = 1.0
- (iv) Change from Limited Knowledge to Proficient or Satisfactory = 1.0
- (v) Change from Limited Knowledge to Advanced = 1.0
- (vi) Change from Proficient or Satisfactory to Advanced = 1.0
- (vii) Remain Proficient or Advanced from Year 1 to Year 2 = 1.0
- ~~(vi)~~(viii) Remained at Unsatisfactory from Year 1 to Year 2 and Meets or Exceeds State Average Positive Change or remained at Limited Knowledge from Year 1 to Year 2 and Meets or Exceeds State Average Positive Change = 1.0
- ~~(vii)~~(ix) Remained at Unsatisfactory from Year 1 to Year 2 and Fails to Meet or Exceed State Average Positive Change or remained at Limited Knowledge from Year 1 to Year 2 and Fails to Meet or Exceed State Average Positive Change = 0
- (x) Demonstrates substantial improvement within a proficiency level = 1.0

(C) For purposes of this subparagraph, a student's improvement within a proficiency level will be considered "substantial improvement" if the student demonstrates an increase in Oklahoma Performance Index ("OPI") score from

the previous school year to the current school year that meets or exceeds the average positive increase amongst all students in the State who increased their OPI score from the previous school year to the current school year.

~~(C)(D)~~ A letter grade shall be earned based on the following criteria:

- (i) 90 points or Above = A
- (ii) 80 – 89 points = B
- (iii) 70 – 79 points = C
- (iv) 60 – 69 points = D
- (v) 59 points or Below = F

~~(4)(g)~~ **Whole school improvement Bonus points.** Each school can earn up to a maximum of ten (10) bonus points to be added to the subtotal of component points and applied toward their final grade. The criteria listed in sub-sections ~~(4)(A) and (4)(B)~~ (1), (2) and (3) of this subsection shall be used to calculate whole school improvement bonus points for high schools, middle schools, and elementary grade schools. Annually, the Oklahoma State Department of Education shall publish technical assistance specifically detailing the weighted formula and the projected availability of valid data used for computing whole school improvement bonus points. Technical assistance shall be published in time for school districts to make meaningful use of the information and data. A school district, charter school, or virtual charter school shall not be eligible to be awarded bonus points on its site report cards for attendance pursuant to (g)(3)(A) and (g)(2)(B) of this Section unless it has established a method for maintaining accurate records of student daily attendance and accurate reporting of student daily attendance that ensures compliance with the provisions of 70 O.S. §§ 5-117.3, 10-103.1, 10-106, 18-111, 18-116.

~~(A)(1)~~ **High schools.** ~~For schools~~ Schools comprised of high school grades, ~~the whole school improvement grade shall include~~ may earn up to a maximum of ten (10) bonus points as follows:

~~(i)(A)~~ **Four-year adjusted cohort graduation Graduation rate.** A high school shall earn five (5) bonus points if its Four-year high school four-year adjusted cohort graduation rate meets or exceeds the criteria for earning an "A" for the high school graduation rate of the school. The criteria for earning an "A" for this component shall be met if a school's four-year adjusted cohort graduation rate meets or exceeds ninety percent (90%). For this component, a letter grade shall be earned based on the calculation of a graduation rate, The calculation of the four-year adjusted cohort graduation rate shall only including include students counted as on-time graduates as defined by federal regulations.

- ~~(I)~~ 90% - 100% = A
- ~~(II)~~ 80% - 89% = B
- ~~(III)~~ 70% - 79% = C
- ~~(IV)~~ 60% - 69% = D
- ~~(V)~~ 59% or Below = F

~~(ii)(B)~~ **Participation or performance in accelerated coursework.** One (1) bonus point shall be awarded to each high school that meets or exceeds the criteria for earning an "A" in either student participation or student performance in accelerated coursework. The criteria for earning an "A" for this component shall be met if the school achieves either a student participation rate of seventy percent (70%) or higher in accelerated coursework or a student performance rate of ninety percent (90%) or higher in accelerated coursework. Student participation and performance rates shall be calculated as follows:

(i) Participation in accelerated coursework. Participation in accelerated coursework, is defined as participation in Advanced Placement (AP) courses, International Baccalaureate (IB) programs, concurrent enrollment, Advanced International Certificate of Education (AICE) courses, and industry certification courses. For this component, participation shall be calculated for the school year by dividing a count of accelerated coursework participants in grades nine (9) through twelve (12) (numerator) by the count of all students enrolled in grades eleven (11) and twelve (12) (denominator). For this component, a student must earn a passing grade in the course in order to be counted as a participant. Schools shall earn credit for every accelerated course in which a student is enrolled. Students enrolled in multiple accelerated courses shall be counted once for each course in which they are enrolled. In calculating a percentage for this component, participation rate shall include all enrollment data regardless of whether the course was taught at the high school, at a career technology center, an accredited college or university, or at a regional site of the Oklahoma School of Science and Mathematics. ~~A letter grade for accelerated coursework shall be earned based on percentage of participation listed below. The scale provided to assign a grade will be converted to a transformed scale so that the A will range from 90-100, the B will range from 80-89, the C will range from 70-79, the D will range from 60-69, and the F will range from 59 and below. Points will be earned based on a transformed scale.~~

~~(I) 70% - 100% = A~~

~~(II) 60% - 69% = B~~

~~(III) 50% - 59% = C~~

~~(IV) 30% - 49% = D~~

~~(V) 29% or Below = F~~

(iii)(ii) Performance in accelerated coursework. Performance in concurrent enrollment, Advanced International Certificate of Education (AICE) courses, Advanced Placement (AP), International Baccalaureate (IB), and industry certification courses. For this component, the numerator of the performance calculation shall include all students in grades nine (9) through twelve (12) who took an accelerated course or subject area examination during the academic year. AICE successful completion is defined as earning a "C" or higher and being awarded credit for specific postsecondary course(s). For concurrent enrollment, successful completion is defined as a passing grade of "C" or higher in a concurrent enrollment course for college credit. For industry certification, successful completion is defined as earning a "C" or better in the course leading to industry certification. Schools can earn additional successful completions for students who achieve industry certifications that result in credit for more than one (1) college course through statewide articulation agreements. For AP and IB performance, credit shall be earned based for each student scoring a three (3) or better on the AP exams, or a four (4) or better on IB exams. For purposes of this component, a school shall earn credit for every course in which a student demonstrates the required level of performance. In calculating a percentage for this component, performance shall include all coursework

regardless of whether the course was taught at the high school, at a career technology center, an accredited college or university, or at a regional site of the Oklahoma School of Science and Mathematics. ~~A letter grade shall be earned based on the percentage of students enrolled in these programs who meet the criteria listed above:~~

- ~~(I) 90%–100% = A~~
- ~~(II) 80%–89% = B~~
- ~~(III) 70%–79% = C~~
- ~~(IV) 60%–69% = D~~
- ~~(V) 59% or Below = F~~

~~(iv)(C) **ACT and SAT participation or performance.** One (1) bonus point shall be awarded to each high school that meets or exceeds the criteria for earning an "A" in either student participation or performance on ACT or SAT college entrance exams. The criteria for earning an "A" for this component shall be met if a school achieves a rate of seventy-five percent (75%) or higher percentage of either student participation or performance on college entrance exams. Student participation and performance rates shall be calculated as follows:~~

~~(i) **ACT and SAT participation.** For this component, High schools will may earn one (1) bonus point a grade based on the calculated percent of students taking the ACT and/or SAT. The percent is calculated by dividing the number of twelfth (12th) grade students who have taken the ACT and/or SAT tests, divided by the number of students enrolled in grade twelve (12). Students will be counted once for the ACT and/or once for the SAT, regardless of the number of times or at which grade levels the test(s) are taken. The high school will earn credit for the most recent test score reported at the time the test is administered. A letter grade for ACT and SAT participation shall be earned based on the criteria listed below. The scale provided to assign a grade will be converted to a transformed scale so that the A will range from 90–100, the B will range from 80–89, the C will range from 70–79, the D will range from 60–69, and the F will range from 59 and below. Points will be earned based on a transformed scale.~~

- ~~(I) 75%–100% = A~~
- ~~(II) 65%–74% = B~~
- ~~(III) 50%–64% = C~~
- ~~(IV) 30%–49% = D~~
- ~~(V) 29% or Below = F~~

~~(v)(ii) **ACT and SAT performance.** For this component, High schools will may earn one (1) bonus point a grade based on the percentage of students scoring an ACT composite score of 20 or greater based on 36-point scale, and/or an SAT score of 1410 or greater based on a 2400-point scale. Students will be counted once for the ACT and/or once for the SAT, regardless of the number of times or at which grade levels the test(s) are taken. The high school will earn credit for the most recent test score reported at the time the test is administered. A letter grade for ACT and SAT performance shall be earned based on the criteria listed below. The scale provided to assign a grade will be converted to a transformed scale so that the A will range from 90–100, the B will range from 80–89, the C will range from 70–79, the D will range from 60–69, and the F will~~

range from 59 and below. Points will be earned based on a transformed scale.

- (I) 75% - 100% = A
- (II) 65% - 74% = B
- (III) 50% - 64% = C
- (IV) 30% - 49% = D
- (V) 29% or Below = F

~~(vi)(D) **High school graduation rate of eighth (8th) graders.** For this component, schools shall earn One (1) bonus point shall be awarded to each high school that meets or exceeds the criteria for earning an "A" for the a-grade based on the high school graduation rate of students who scored at limited knowledge or unsatisfactory on the eighth (8th) grade reading and mathematics criterion-referenced test administered pursuant to the Oklahoma State Testing Program (OSTP). The criteria for earning an "A" for this component shall be met if a school achieves a graduation rate of eighty-five percent (85%) or higher for its students who scored at limited knowledge or unsatisfactory on the eighth grade reading and mathematics tests. For this component, schools shall be eligible to earn the bonus point a-grade based on the calculation of the graduation rate of this population of eighth (8th) graders, regardless of where the student attended the eighth (8th) grade. The scale provided to assign a grade will be converted to a transformed scale so that the A will range from 90-100, the B will range from 80-89, the C will range from 70-79, the D will range from 60-69, and the F will range from 59 and below. Points will be earned based on a transformed scale.~~

- (I) 85% - 100% = A
- (II) 75% - 84% = B
- (III) 65% - 74% = C
- (IV) 55% - 64% = D
- (V) 54% or Below = F

~~(vii) **Graduation rate, including students taking five (5) or more years to graduate.** For this component, schools shall earn a grade based on the calculation of a graduation rate to include all graduates regardless of the amount of time required to meet graduation requirements.~~

- (I) 90% - 100% = A
- (II) 80% - 89% = B
- (III) 70% - 79% = C
- (IV) 60% - 69% = D
- (V) 59% or Below = F

(E) **Overall EOI performance.** Upon the availability of valid student assessment data, one (1) bonus point shall be awarded to a high school if eighty percent (80%) or more of its graduates from the previous school year have scored either a "Satisfactory/Proficient" or "Advanced" on six (6) out of the seven (7) secondary level EOI assessments required by the Oklahoma School Testing Program Act at [70 O.S. § 1210.508\(A\)\(6\)](#).

(F) **Year-to-year growth.** Upon the availability of valid student data, one (1) bonus point shall be awarded to each high school which demonstrates improvement from the previous school year in at least three (3) of the five (5) components used to calculate bonus points set forth in (1)(A) through (1)(E) of this subsection. For purposes of this subparagraph, a high school will be deemed

to have demonstrated improvement in a category if the school has received bonus points in that category for two consecutive years (i.e., the current report card and the previous year's report card). In the alternative, a high school can demonstrate improvement in a category by meeting the following criteria specified in the category:

(i) **Four-year adjusted cohort graduation rate.** A high school demonstrates improvement by increasing its four-year adjusted cohort graduation rate in (1)(A) of this subsection by at least ten percent (10%) of the difference between the previous year's graduation rate and one hundred percent (100%).

(ii) **Participation or performance in accelerated coursework.** A high school demonstrates improvement by increasing its rate of participation or performance in accelerated coursework in (1)(B) of this subsection by five percent (5%) or more.

(iii) **ACT and SAT participation or performance.** A high school demonstrates improvement by increasing its rate of participation or performance in ACT or SAT in (1)(C) of this subsection by at least ten percent (10%) of the difference between the previous year's rate and one hundred percent (100%).

(iv) **High school graduation rate of eighth (8th) graders.** A high school demonstrates improvement by increasing its high school graduation rate of eighth graders in (1)(D) of this subsection by at least ten percent (10%) of the difference between the previous year's graduation rate and one hundred percent (100%).

(v) **Overall EOI performance.** A high school demonstrates improvement by increasing its overall rate of EOI performance in (1)(E) of this subsection by at least ten percent (10%) of the difference between the previous year's rate and one hundred percent (100%).

~~(B)(2) Middle schools. For schools~~ Schools comprised of middle school grades, ~~the whole school improvement grade shall include~~ may earn up to a maximum of ten (10) bonus points as follows:

(i)(A) **The percentage of students who are taking higher level coursework at a satisfactory or higher level in middle school.** For this component, Middle schools shall earn a grade based on two (2) bonus points for meeting or exceeding the criteria forearning an "A" on the rate of the school's middle school students who take accelerated coursework at a satisfactory or higher level. The criteria for earning an "A" for this component shall be met if the school achieves a participation rate of thirty percent (30%) or higher the percentage of middle school students taking traditional high school courses in the middle school grades, pre-Advanced Placement courses, or honors courses in a traditional classroom or in a virtual environment who score at a satisfactory level or higher on the corresponding state standardized assessment. Schools shall earn credit for every accelerated course in which a student is enrolled. Students enrolled in multiple accelerated courses shall be counted once for each course in which they are enrolled. A letter grade will be earned based on the criteria listed below. The scale provided to assign a grade will be converted to a transformed scale so that the A will range from 90-100, the B will range from 80-89, the C will range from 70-79, the D will range from 60-69, and the F will range from 59 and below.

~~Points will be earned based on a transformed scale.
or Higher = A~~

~~(I) 30%~~

~~(II) 25% - 29% = B~~

~~(III) 20% - 24% = C~~

~~(IV) 15% - 19% = D~~

~~(V) 14% or Below = F~~

~~(ii)(B) **Attendance.** For this component, Middle schools will earn a grade six (6) bonus points for the level of student attendance based on the calculation of a student for meeting or exceeding the criteria for earning an "A" for middle school student attendance. The criteria for earning an "A" for this component shall be met if the school achieves a student attendance rate of ninety-four percent (94%) or higher. This rate is the Average Daily Attendance (ADA) divided by the Average Daily Membership (ADM). ADA is calculated by dividing the total number of days students were present by the number of days in the school calendar or by dividing the number of hours students were present by the number of hours in the school calendar, whichever applicable. ADM is calculated by dividing the total number of days students were enrolled in school by the number of days in the school calendar or by dividing the number of hours students were enrolled by the number of hours in the school calendar, whichever applicable. A letter grade for attendance will be earned based on the criteria listed below. The scale provided to assign a grade will be converted to a transformed scale so that the A will range from 90-100, the B will range from 80-89, the C will range from 70-79, the D will range from 60-69, and the F will range from 59 and below. Points will be earned based on a transformed scale.~~

~~(I) 94% - 100% = A~~

~~(II) 92% - 93% = B~~

~~(III) 90% - 91% = C~~

~~(IV) 88% - 89% = D~~

~~(V) 87% or Below = F~~

~~(iii)(C) **Dropout rate.** For this component, Middle schools shall earn a grade based two (2) bonus points for meeting or exceeding the criteria for earning an "A" for the drop-out rate of the school. The criteria for earning an "A" for this component shall be met if the school achieves a rate of zero point nine percent (0.9%) or lower of on the annual number of students reported as dropouts to the Oklahoma State Department of Education on the Annual Dropout Report. A letter grade for dropout rate will be earned based on the listed below. The scale provided to assign a grade will be converted to a transformed scale so that the A will range from 90-100, the B will range from 80-89, the C will range from 70-79, the D will range from 60-69, and the F will range from 59 and below. Points will be earned based on a transformed scale.~~

~~(I) 0% - 0.9% = A~~

~~(II) 1% - 1.9% = B~~

~~(III) 2% - 2.9% = C~~

~~(IV) 3% - 3.9% = D~~

~~(V) 4% or More = F~~

~~(C)(3) **Elementary schools.** For schools Schools comprised of elementary school grades, the whole school improvement grade shall include earn ten (10) bonus points as follows:~~

~~(i)(A) Attendance. For this component, Elementary schools will earn ten (10) bonus points for meeting or exceeding the criteria for earning an "A" on student attendance. The criteria for earning an "A" shall be met if the school achieves a grade for the level of student attendance based on the calculation of a student attendance rate of ninety-four percent (94%) or greater. This rate is the Average Daily Attendance (ADA) divided by the Average Daily Membership (ADM). ADA is calculated by dividing the total number of days students were present by the number of days in the school calendar or by dividing the number of hours students were present by the number of hours in the school calendar, whichever applicable. ADM is calculated by dividing the total number of days students were enrolled in school by the number of days in the school calendar or by dividing the number of hours students were enrolled by the number of hours in the school calendar, whichever applicable. A letter grade for attendance will be earned based on the criteria listed below. The scale provided to assign a grade will be converted to a transformed scale so that the A will range from 90-100, the B will range from 80-89, the C will range from 70-79, the D will range from 60-69, and the F will range from 59 and below. Points will be earned based on a transformed scale.~~

- ~~(I) 94% - 100% = A~~
- ~~(II) 92% - 93% = B~~
- ~~(III) 90% - 91% = C~~
- ~~(IV) 88% - 89% = D~~
- ~~(V) 87% or Below = F~~

~~(ii) Dropout rate. For this component, schools shall earn a grade based on the annual number of students reported as dropouts to the Oklahoma State Department of Education on the Annual Dropout Report. A letter grade for dropout rate will be earned based on the scale listed below. The scale provided to assign a grade will be converted to a transformed scale so that the A will range from 90-100, the B will range from 80-89, the C will range from 70-79, the D will range from 60-69, and the F will range from 59 and below. Points will be earned based on a transformed scale.~~

- ~~(I) 0% - 0.9% = A~~
- ~~(II) 1% - 1.9% = B~~
- ~~(III) 2% - 2.9% = C~~
- ~~(IV) 3% - 3.9% = D~~
- ~~(V) 4% or More = F~~

~~(g)(h) Additional points Technical assistance. In addition to the criteria listed in sub-section (f)(4) of this rule, schools may earn additional points that will be factored into the school's whole school improvement grade. Annually, the Oklahoma State Department of Education shall publish technical assistance specifically detailing the weighted formula used for computing additional bonus points into the whole school improvement grade. Technical assistance shall be published in time for school districts to make meaningful use of the information and data.~~

~~(1) Parent and community engagement factors. For all schools comprised of high school, middle school, and elementary school grades, additional points may be earned and factored into the whole school improvement grade based on the following school improvement factors. For this component, schools shall earn additional points based on the number of volunteer hours performed during the school year by parents and/or community members.~~

~~(2) In addition to the factors outlined in sub-section (g)(1), for schools comprised of high school grades, additional points may be earned and factored into the whole school improvement grade based on the following school improvement factors:~~

~~(A) **College preparatory coursework.** For this component, high schools serving students in grades nine (9) through twelve (12) shall earn points based on the percentage of students completing the State's college and career preparatory curriculum. This shall be calculated based on a sum of all students, in grades nine (9) through twelve (12), enrolled in college preparatory coursework divided by the total number of students enrolled in the school in grades nine (9) through twelve (12).~~

~~(B) **College remediation.** For this component, a college remediation rate shall be calculated by dividing the unduplicated count of students needing remediation in reading, English, math, or science by the total number of the students attending an Oklahoma college or university.~~

~~(h)(i) **School Performance Grading Scale.** The School Performance Grade shall be based on a combination of the factors outlined in sub-section (b)(1) of this rule and detailed in sub-section (f) and (g) of this rule. Section. Thirty three Fifty percent (33%)(50%) shall be based on student test scores; seventeen twenty-five percent (17%)(25%) on student learning gains; seventeen and twenty-five percent (17%)(25%) on improvement of the lowest twenty-five percent (25%) of students in the school in reading and mathematics, and thirty three percent (33%) on whole school improvement. Letter grades will be calculated according to the assigned weight of each criteria and by combining points earned for each component within each criteria. The school performance grade grades for each factor described in sub-section (b)(1) will be earned and assigned according to the following scale:~~

~~(1) 90 or Above = A~~

~~(2) 80-89 = B~~

~~(3) 70-79 = C~~

~~(4) 60-69 = D~~

~~(5) 59 or Below = F~~

~~(1) Ninety-seven percent (97%) to one-hundred and ten percent (110%) = A+~~

~~(2) Ninety-three percent (93%) to ninety-six percent (96%) = A~~

~~(3) Ninety percent (90%) to ninety-two percent (92%) = A-~~

~~(4) Eighty-seven percent (87%) to eighty-nine percent (89%) = B+~~

~~(5) Eighty-three percent (83%) to eighty-six percent (86%) = B~~

~~(6) Eighty percent (80%) to eighty-two percent (82%) = B-~~

~~(7) Seventy-seven percent (77%) to seventy-nine percent (79%) = C+~~

~~(8) Seventy-three percent (73%) to seventy-six percent (76%) = C~~

~~(9) Seventy percent (70%) to seventy-two percent (72%) = C-~~

~~(10) Sixty-seven percent (67%) to sixty-nine percent (69%) = D+~~

~~(11) Sixty-three percent (63%) to sixty-six percent (66%) = D~~

~~(12) Sixty percent (60%) to sixty-two percent (62%) = D-~~

~~(13) Fifty-nine percent (59%) and below = F~~

~~(i)(j) **Accuracy and Representativeness of Performance Data.** The Oklahoma State Department of Education shall review all information submitted by school districts to represent the performance of schools receiving a school performance grade.~~

~~(1) Each school district superintendent shall designate a school accountability contact person to be responsible for verifying accuracy of data.~~

(2) The Superintendent of Public Instruction shall withhold the designation of a school's performance grade if he or she determines that the performance data does not accurately represent the progress of the school.

(A) Circumstances under which a school's performance data may be considered to not accurately represent the progress of the school include:

(i) Less than ninety-five percent (95%) of the school's student population eligible for inclusion in the designation of the school's performance grade was assessed.

(ii) Circumstances identified before, during, or following the administration of any state assessment where the validity or integrity of the test results are called into question and are subject to review as determined by the State Department of Education.

~~(j)~~(k) **Data verification by school sites/districts.** School sites shall be provided an opportunity to review all data used to calculate the school performance grade and the calculation of the school performance grade.

(1) **Initial Data Verification.** Initial data verification of the data used to calculate school performance grades shall occur throughout the school year as data becomes available to the State Department of Education. School district accountability staff shall have the opportunity to perform data verification and confirm that data being used to calculate school performance grades are accurate prior to the review period required by ~~(j)~~(k)(2) of this rule. The school district shall have at least thirty (30) calendar days to review and request corrections to each new data component, as it becomes available. No requests for changes to data shall be made after the expiration of the respective thirty (30) calendar day review period. For purposes of this paragraph only, a "new data component" means a data component that has not been previously submitted to the State Department of Education in accordance with other state or federal reporting requirements.

(2) **Calculation Verification.** Prior to the final release of school performance grades, a school district shall have at least ten (10) calendar days to certify the calculation of the performance grade. If the school district determines that a different performance grade should be assigned because of the omission of student data, a data miscalculation, or special circumstances that might have affected the grade assigned, school districts may submit a request for a review of the data calculation to the State Department of Education. All evidence supporting the district's claim of a calculation error and documentation ~~Documentation~~ of all elements to be reviewed by the Department must be submitted within the time limits specified in this subsection. No request for review of the calculation shall be accepted after the expiration of the ten (10) calendar day review period. Changes to the criteria, data, or process shall not be considered as part of this review.

(3) **Data deemed certified.** To ensure timely issuance of the school report cards in accordance with the requirements of 70 O.S. § 1210.545, any data component verification or calculation verification for which a district fails to timely review and certify as accurate in accordance with the provisions of (1) or (2) of this subsection shall be deemed certified as accurate by the district and districts shall not be permitted to request further corrections to the data.

~~(k)~~(l) **Final determination.** The Oklahoma State Board of Education's determination of a school's performance grade shall be final.

~~(1)~~(m) **Planned System Enhancements.** As indicated in this subsection, planned enhancements will occur in the System of School Improvement and Accountability. The

Superintendent of Public Instruction will periodically recommend additional changes to the system to the State Board of Education for approval as necessary to ensure that continuous improvements are made in the educational programs of the State. (A) Performance data shall be reviewed annually to determine whether to adjust the school grading scale for the following year's school grades. Adjustments may include, but shall not be limited to grading criteria, classification of school type, point calculations, point requirements, and minimum points necessary to obtain a certain grade. Adjustments may reset the minimum required number of points for each grade.

(n) **Virtual education providers and virtual charter schools.** Any virtual provider that offers full-time online programs for students enrolled in charter schools sponsored by a school district, technology center school district, higher education institution, a federally recognized Indian tribe, or the State Board of Education, in accordance with the provisions of the Oklahoma Charter Schools Act shall be considered a "virtual charter school."

(1) Each virtual charter school and each school district which contracts with a virtual charter school or virtual education provider shall identify its full-time virtual students who do not live in the physical boundaries of the school district with which the sponsor is associated.

(A) Each virtual charter school and each school district shall report the achievement data of its full-time virtual students who are not residents of the district in which the sponsor is located separate from the achievement data of its full time virtual students who are residents of the district of sponsorship.

(B) The performance of non-resident full-time virtual students identified in (1) of this subsection shall be excluded from the determination of the overall school performance letter grade of the sponsoring school district, but shall be included in the overall school performance letter grade of the virtual charter school as resident students.

(2) Any virtual provider that contracts with a school district to provide full-time virtual education for resident students of the school district shall be considered a separate site within the school district for accountability purposes and shall be issued a separate report card that includes performance of full-time virtual students identified in (1) of this subsection as residents of the school district with which the provider contracts.

(o) **Statewide virtual charter schools.** Any virtual provider sponsored as a charter school by the Statewide Virtual Charter School Board shall be considered a "statewide virtual charter school."

(1) Each statewide virtual charter school will be considered a separate school site and "district" of the Statewide Virtual Charter School Board for accountability purposes and will be subject to the system of school improvement and accountability established by [70 O.S. § 1210.545](#) and the accompanying provisions set forth in this Section.

(2) The performance of all eligible students enrolled in a statewide virtual charter school shall be included in the calculation of the overall school performance letter grade of the virtual charter school. For purposes of this Section, any student enrolled full-time in a statewide virtual charter school who resides within the borders of the state shall be considered a resident student of the statewide virtual charter school.

(14)

STUDENT ATTENDANCE

OAC 210:10-1-5. Student Attendance Definitions and Terms

(a) Area Technology Centers

Students are considered in attendance when traveling to or from and while attending area Technology Centers.

(b) Attendance

To be present in school.

(c) Authority for Birth

Documentation used to verify school age. The following are examples:

- (1) Birth Certificate
- (2) Attending Physician's Certificate
- (3) Permanent School Record
- (4) Family Bible
- (5) Parent Statement
- (6) Last Year's Attendance Register
- (7) Other Official Scholastic Record

Birth Certificates, if available, must be provided for early childhood, kindergarten, and first grade students who are first-time enrollees. Each situation must have its own unique code (x).

(d) Average Daily Attendance (ADA)

The accumulation of total days of legal attendance by grade, divided by number of days taught.

(e) Average Daily Membership (ADM)

The accumulation of total days of legal attendance "plus" absences by grade, divided by number of days taught.

(f) Basis of Admission

A student is admitted because the student is either a resident of the district (R), a student with a valid transfer (TR), a 9-12th grade pupil who resides in an elementary school district (DT) or a nonresident student that pays tuition in order to attend this school (TU). Each situation must have its own unique code (x).

(g) Concurrent Enrollment

A program in which a high school student also attends college. A student participating in concurrent enrollment is considered present when attending college.

(h) Drop

A loss of membership that is to be noted on the day the transaction occurs, also known as a loss.

(i) Early Childhood

An educational program for four-year-old children.

(j) Entry, Gain and Loss (EG&L)

- (1) Entry occurs when a student enters school in this state for the first time during the current school year.
- (2) Gain occurs when a student enrolls in a public school classroom in this state a second or succeeding time during the current school year.
- (3) Loss occurs when a student withdraws from school during the current year, also known as a drop.

(k) Enrollment

Recording the name of a student on class roll on the day the student is first present.

(l) Home-Based Program

A program for special education students who are unable to participate in a full-day educational program. Home based pupils are considered on roll and in attendance.

(m) **Kindergarten**

An educational program for five-year-old children.

(n) **Membership**

All students on the Student Attendance Register roll or classroom roll. Total student attendance, plus total student absences.

(o) **Nongraded**

Students who are below school age, but at least three years old, who are required by law to be served by the public schools. Example: Three-year-old developmentally delayed student. Also, students who have passed compulsory attendance age and are required by law to be served by the public schools may be counted as nongraded.

(p) **On Roll**

A student who is enrolled in a school.

(q) **Original Entry**

The initial enrollment of a student in an Oklahoma school.

(r) **Out-of-Home Placement**

A student who is not a resident of the district but is housed and educated in a residential child facility or a treatment center located in the district. Out-of-home placement students are carried on roll and in attendance and are considered resident students during the time the students are at the facility.

(s) **Source of Entry**

Determined by the appropriate entry or gain code and recorded in the Register on the day of the transaction. From where did the student come?

(t) **Tuition**

A fee paid by a non-resident, nontransferred student to be able to attend school in this district.

(06)

STUDENT ENTRANCE AND PROGRESSION THROUGH THE SYSTEM

OAC 210:35-25-2. Student entrance and progression through the system

The local board of education shall develop local policies, procedures and requirements for the entrance and progression of students through the educational programs of the local school system. The local board of education shall also determine the local graduation requirements for students which may exceed those of the State Board of Education. Local board of education policies and procedures shall provide, as a minimum, the following provisions:

- (1) All children between the ages of 5 and 21 on or before September 1 shall be entitled to attend the school free of charge in the district in which they reside or are legally transferred. Students shall be placed in an appropriate educational level based upon documentation of competency in the current Oklahoma curriculum.
- (2) Students entering an accredited school from a school not accredited by the State Board of Education shall be tested for placement. All student placement assessments shall be administered by the receiving accredited school and the results shall be kept on file for one year.
- (3) Students demonstrating competency in a curriculum subject shall receive credit. Credit can also be given for the successful completion of a Carnegie Unit. A Carnegie Unit is defined as a course that meets 40 minutes a day, five days per week for at least 36 weeks, or the equivalent of 120 clock hours within the school year, or the equivalent in

block scheduling. Educational options such as correspondence courses, independent study and certain internet instruction will also be considered appropriate methods for earning credit. When a student earns college credit through concurrent enrollment, school districts shall provide academic credit for any concurrently enrolled higher education courses that are correlated with the academic credit awarded by the institution of higher education. Academic credit shall only be transcribed as elective credit if there is no correlation between the concurrent enrollment higher education course and a course provided by the school district. However, correspondence, independent study courses and internet instruction shall not be included within the minimum 38 required units of credit offered at a comprehensive high school.

- (4) A student must demonstrate competency in or successfully complete at least 21 units of credit which must include the state-mandated curriculum and meet all other state and local mandates to be eligible for graduation. Beginning in the 2002-2003 school year a student must successfully complete 23 units of credit for the Standard Diploma.

(09)

OAC 210:35-25-3. Annual student dropout reports to local school boards

- (a) The principal or a representative of each site serving students in Grades 7-12 shall review and discuss with the local school board, the certified annual site dropout report submitted by the school district to the State Department of Education. The local review and discussion shall occur at the next open school board meeting after the district certifies the Annual Report.
- (b) Each school site that serves students in Grades 7-12 is required to submit online its accounting of dropouts to the State Department of Education quarterly and annually. Each report is certified locally as an accurate accounting of the dropouts for each site. The annual reentry checklist report is due to the State Department of Education no later than November 1 of each year for inclusion in the annual state dropout report to the State Board of Education, the Governor, and the State Legislature. This reentry checklist report should be used to generate the annual report to the local school board.

(09)

OAC 210:35-25-4. Annual student college remediation reports to local school boards

The high school principal or a representative from each high school site within the district shall annually review and discuss with the local board of education each site's first year college remediation rate for each subject as presented in the annual Student Remediation Report provided by the Oklahoma Regents for Higher Education within two months of receiving said report.

(09)

SUMMER SCHOOL PROGRAMS

OAC 210:35-15-1. Purpose and scope

This Subchapter contains rules and regulations for expanded opportunities for students in summer programs which relate to, and are in addition to, the accreditation standards set forth in Subchapters 1 through 13 of this Chapter.

OAC 210:35-15-2. Summer school programs

Rules and regulations for summer school programs are:

(1) Application

Schools, including Technology Centers, desiring accreditation by the State Board of Education shall make application on forms furnished for this purpose (summer high school). The application shall be completely and properly completed and filed with the Accreditation Section, State Department of Education, on or before the end of the first week of the summer session.

(2) Time in session

A high school may define a unit of credit as meeting a minimum of 60 hours for 1/2 unit of credit or a minimum of 120 hours for 1 unit of credit.

(3) Teacher load

(A) Teachers teaching in summer schools shall not teach more than two units during the summer term of school, unless special permission is granted by the State Department of Education.

(B) Teachers shall not teach more than two subjects during any one period.

(4) Teacher certification

All teachers shall have valid appropriate teacher certificates.

(5) Summer school Career Orientation classes

Summer school Career Orientation classes at the technology center may be accredited for grades 9-10.

(07)

PART III

**Rules of the
State Board of Education**

Section C:

THE SCHOOL STAFF

PART III, SECTION C:

THE SCHOOL STAFF

In this section:

- **GENERAL TEACHING CERTIFICATE REQUIREMENTS**
- **ADJUNCT TEACHERS**
- **CLASSROOM TEACHER ASSISTANTS**
- **TEACHER AND LEADER EFFECTIVENESS EVALUATION SYSTEM (TLE)**
- **FIRST-YEAR SUPERINTENDENTS IN OKLAHOMA PROGRAM**
- **MENTOR TEACHER**
- **NATIONAL BOARD CERTIFICATION**
- **TEACHER CERTIFICATION: TEACHER EDUCATION AND CERTIFICATION**
- **RESIDENCY PROGRAM**
- **STANDARDS OF PERFORMANCE AND CONDUCT FOR TEACHERS**
- **TEACHER DUE PROCESS HEARINGS**

GENERAL TEACHING CERTIFICATE REQUIREMENTS

OAC²⁶ 210:20-9-9. Kinds, types, classes, and processing fees of certificates

(a) **Kinds of certificates.** The specific use of each kind of certificate, in terms of the nature of services which the holder is permitted to render, is regulated by rules of the State Board of Education. ~~Effective July 1, 1997, the~~ The kinds of certificates which will be available are:

(1) Administrative certificate

(A) Elementary elementary principal (~~Grades grades~~ ~~pk~~ Pre-Kindergarten through eight (8))

(B) Middle middle level principal (~~Grades grades~~ five (5) through nine (9) (optional))

(C) Secondary secondary principal (~~Grades grades~~ five (65) through twelve (12))

(D) Superintendent superintendent (~~Grades grades~~ ~~pk~~ Pre-Kindergarten (Pre-K) through twelve (12))

(2) Early childhood education certificate (~~Grades grades~~ ~~pk~~ Pre-Kindergarten (Pre-K) through three (3))

(3) Elementary school certificate (Grades grades one (1) through eight (8))

(4) Middle level certificate (Grades grades five (5) through eight (8) (optional))

(5) ~~Prekindergarten~~ Pre-Kindergarten - secondary certificate (Grades grades ~~pk~~ Pre-Kindergarten (Pre-K) through twelve (12))

(6) Secondary school certificate (Grades grades five (5) 6 through twelve (12))

(7) Other certified personnel certificate (~~Grades grades~~ ~~pk~~ Pre-Kindergarten (Pre-K) through twelve (12))

(8) ~~Vocational technical~~ Career technology certificate (Grades grades five (65) through twelve (12))

(b) **Types of certificates.** The endorsement indicates the type of license/certificate issued.

(c) **Classes of certificates.** The class determines the term of validity. The classes of certificates are:

(1) License-issued to beginning teachers with zero years of experience for a period of one (1) year validity

(2) Standard certificate-valid for five (5) years and renewal upon compliance with prescribed conditions

(3) Provisional certificate- term of validity varies depending upon regulatory basis for issuance

(d) **Processing fees of certificates.**

(1) Certificate \$50.00

(2) Renewals \$50.00

(3) License \$50.00

(4) Alternative Placement Application/Evaluation \$50.00

(5) All other transactions will be \$50 or less **(14)**

²⁶ PLEASE NOTE: The Oklahoma Administrative Code is available online, but only permits linking to the front page. To view OAC material, click on the hyperlinked "OAC", then select "View Code" from the options at the left side of the screen. Select the appropriate Title (210 for State Department of Education), then chapter number and subchapter, until you have reached the desired code section.

ADJUNCT TEACHERS

OAC 210:20-37-2. Adjunct Teachers

Rules which pertain to adjunct teachers are:

- (1) The local school district shall determine the specific qualifications, duties, and responsibilities of adjunct teachers.
- (2) The employment of persons to serve as adjunct teachers shall be approved by the local board of education.
- (3) The local district shall request a felony record search of any person approved for adjunct employment.
- (4) Formal notification of the employment of adjunct teachers shall be provided to the State Department of Education within thirty (30) days of the date of employment.
- (5) Hours taught while serving as an adjunct teacher shall not count towards teaching experience or residency for purposes of meeting certification or recertification requirements, tenure, or retirement benefits.
- (6) Adjunct teachers employed to coach school athletic teams shall have successfully completed a course in the care and prevention of athletic injuries.
- (7) *The No Child Left Behind Act of 2001 requires that all teachers of core academic subjects be highly qualified. Core academic subjects defined by the act are English, reading, language arts, math, science, foreign language, civics and government, economics, the arts (art and music), history and geography. An adjunct teacher can become highly qualified by having a bachelor's degree, by having the district school board approve of the teacher's expertise in the core subject being taught and by possessing a Highly Qualified-Adjunct Teacher certificate issued by the State Department of Education. This certificate must be issued annually. An application for the Highly Qualified-Adjunct Teacher certificate is on the Oklahoma State Department of Education's website.*

(08)

CLASSROOM TEACHER ASSISTANTS

OAC 210:20-33-1. Classroom teacher assistants

Rules and regulations which pertain to classroom teacher assistants are:

- (1) Persons employed as teacher assistants after July 1, 1983, shall possess a high school diploma or a General Educational Development (GED) Certificate, and have demonstrated ability in the area or areas to which they are assigned, be proficient in the English language, and have demonstrated the following characteristics:
 - (A) A sense of orderliness and an ability to work within a routine.
 - (B) Ability to work under supervision of the teacher.
 - (C) Ability to assume responsibility.
 - (D) Ability to work with children.
 - (E) Neat appearance.
 - (F) Ability to understand and follow oral and written directions.
 - (G) Ability to work harmoniously with fellow employees.
- (2) Local boards of education shall develop and implement policies to provide for orientation and inservice training programs for teacher assistants employed by the district. The State Department of Education may assist local boards of education in the inservice training of teacher assistants.

- (3) Teacher assistants may perform or assist a teacher in the performance of hall duty, playground duty, bus duty, lunchroom duty, and extracurricular activities. All other assigned activities of teacher assistants shall be under the direct supervision of a licensed/certified teacher. Examples of other duties which teacher assistants may perform are: prepare art supplies, bulletin boards, supplementary materials, transparencies, reports, charts and maps, file materials, and compute statistical information. All interscholastic activities shall be directed by a licensed/certified teacher.
- (4) Teacher assistants shall not be given the responsibility of presenting new instructional materials to students. While under the supervision of a licensed/certified teacher, a teacher's assistant may provide tutorial or remedial services to students on curriculum that has been introduced previously by the classroom teacher.
- (5) All classroom teacher assistants shall be listed on each school's application for accreditation.
- (6) In accordance with the [No Child Left Behind Act of 2001](#), teacher assistants employed in Title I schools have additional requirements if they are serving in an instructional capacity.

(06)

TEACHER AND LEADER EFFECTIVENESS EVALUATION SYSTEM (TLE)

70 O.S. § 6-101.3 - Definitions

As used in [Section 6-101](#) et seq. of this title:

1. "Administrator" means a duly certified person who devotes a majority of time to service as a superintendent, elementary superintendent, principal, supervisor, vice principal or in any other administrative or supervisory capacity in the school district;

2. "Dismissal" means the discontinuance of the teaching service of an administrator or teacher during the term of a written contract, as provided by law;

3. "Nonreemployment" means the nonrenewal of the contract of an administrator or teacher upon expiration of the contract;

4. "Career teacher" means a teacher who:

a. for teachers employed by a school district prior to full implementation of the Oklahoma Teacher and Leader Effectiveness Evaluation System (TLE) as set forth in [Section 6-101.10](#) of this title, has completed three (3) or more consecutive complete school years as a teacher in one school district under a written continuing or temporary teaching contract, or

b. for teachers employed for the first time by a school district under a written continuing or temporary teaching contract after full implementation of the Oklahoma Teacher and Leader Effectiveness Evaluation System (TLE) as set forth in [Section 6-101.10](#) of this title:

(1) has completed three (3) consecutive complete school years as a teacher in one school district under a written continuing or temporary teaching contract and has achieved a rating of "superior" as measured pursuant to the TLE as set forth in

Section 6-101.16 of this title for at least two (2) of the three (3) school years, with no rating below "effective",

(2) has completed four (4) consecutive complete school years as a teacher in one school district under a written continuing or temporary teaching contract, has averaged a rating of at least "effective" as measured pursuant to the TLE for the four-year period, and has received a rating of at least "effective" for the last two (2) years of the four-year period, or

(3) has completed four (4) or more consecutive complete school years in one school district under a written continuing or temporary teaching contract and has not met the requirements of subparagraph a or b of this paragraph, only if the principal of the school at which the teacher is employed submits a petition to the superintendent of the school district requesting that the teacher be granted career status, the superintendent agrees with the petition, and the school district board of education approves the petition. The principal shall specify in the petition the underlying facts supporting the granting of career status to the teacher;

5. "Teacher hearing" means the hearing before a school district board of education after a recommendation for dismissal or nonreemployment of a teacher has been made but before any final action is taken on the recommendation, held for the purpose of affording the teacher all rights guaranteed by the United States Constitution and the Constitution of Oklahoma under circumstances and for enabling the board to determine whether to approve or disapprove the recommendation;

6. "Probationary teacher" means a teacher who:

a. for teachers employed by a school district prior to full implementation of the Oklahoma Teacher and Leader Effectiveness Evaluation System (TLE) as set forth in Section 6-101.10 of this title, has completed fewer than three (3) consecutive complete school years as a teacher in one school district under a written teaching contract, or

b. for teachers employed for the first time by a school district under a written teaching contract after full implementation of the Oklahoma Teacher and Leader Effectiveness Evaluation System (TLE) as set forth in Section 6-101.10 of this title, has not met the requirements for career teacher as provided in paragraph 4 of this section;

7. "Suspension" or "suspended" means the temporary discontinuance of the services of an administrator or teacher, as provided by law; and

8. "Teacher" means a duly certified or licensed person who is employed to serve as a counselor, librarian or school nurse or in any instructional capacity; an administrator shall be considered a teacher only with regard to service in an instructional, nonadministrative capacity.

(13)

70 O.S. § 6-101.10 – Establishment of Written Policy of Evaluation

A. Each school district board of education shall maintain and annually review, following consultation with or involvement of representatives selected by local teachers, a written policy of evaluation for all teachers and administrators. In those school districts in which there exists a professional negotiations agreement made in accordance with Section 509.1 et seq. of this title,

the procedure for evaluating members of the negotiations unit and any standards of performance and conduct proposed for adoption beyond those established by the State Board of Education shall be negotiable items. Nothing in this section shall be construed to annul, modify or to preclude the renewal or continuing of any existing agreement heretofore entered into between any school district and any organizational representative of its employees. Every policy of evaluation adopted by a board of education shall:

1. Be based upon a set of minimum criteria developed by the State Board of Education, which shall be revised and based upon the Oklahoma Teacher and Leader Effectiveness Evaluation System (TLE) developed by the State Board of Education as provided in [Section 6-101.16](#) of this title. The revisions to each policy of evaluation shall be phased in according to the following schedule:

a. for evaluations of teachers and administrators conducted during the 2012-2013 school year, school districts shall for purposes of testing the TLE incorporate on a trial basis the qualitative components of the TLE as provided for in subparagraph b of paragraph 4 of subsection B of [Section 6-101.16](#) of this title into the evaluations used in all or a representative sampling of school sites within the district and may at the option of the school district incorporate on a trial basis the other academic measurement quantitative components of the TLE as provided for in division (2) of subparagraph a of paragraph 4 of subsection B of [Section 6-101.16](#) of this title into the evaluations used in all or a representative sampling of school sites within the district,

b. for evaluations of teachers and administrators conducted during the 2013-2014 school year, school districts shall incorporate and put into operation the qualitative components of the TLE as provided for in subparagraph b of paragraph 4 of subsection B of [Section 6-101.16](#) of this title into the evaluations used in all school sites within the district. For the 2013-2014 school year one hundred percent (100%) of the evaluation rating of teachers and administrators shall be based on the qualitative component of the TLE. In addition, for evaluations of teachers and administrators conducted during the 2013-2014 school year, school districts shall for purposes of testing the TLE incorporate on a trial basis the student academic growth and other academic measurement quantitative components of the TLE as provided for in subparagraph a of paragraph 4 of subsection B of [Section 6-101.16](#) of this title into the evaluations used in all or a representative sampling of school sites within the district. However, nothing in this subparagraph shall preclude a school district with an average daily attendance of more than thirty-five thousand (35,000) from incorporating at its own expense the quantitative model of the TLE and basing up to fifty percent (50%) of the evaluation rating of teachers and administrators on the quantitative components of the TLE, as defined by the district's written policy, during the 2013-2014 school year,

c. for evaluations of teachers and administrators conducted during the 2014-2015 school year, school districts shall for purposes of establishing baseline data incorporate the student academic growth and other academic measurement quantitative components of the TLE as provided for in subparagraph a of paragraph 4 of subsection B of [Section 6-101.16](#) of this title into the evaluations used in all school sites within the district. For the 2014-2015 school year one hundred percent (100%) of the evaluation rating of teachers and administrators shall be based on the qualitative component of the TLE, and no portion of the evaluation rating shall be based on the quantitative components of the TLE.

However, nothing in this subparagraph shall preclude a school district with an average daily attendance of more than thirty-five thousand (35,000) from incorporating at its own expense the quantitative model of the TLE and basing up to fifty percent (50%) of the evaluation rating of teachers and administrators on the quantitative components of the TLE, as defined by the district's written policy, during the 2014-2015 school year, and

d. for evaluations of teachers and administrators conducted during the 2015-2016 school year and each school year thereafter, school districts shall fully implement the TLE and incorporate and put into operation both the qualitative components of the TLE as provided for in subparagraph b of paragraph 4 of subsection B of [Section 6-101.16](#) of this title and the student academic growth and other academic measurement quantitative components of the TLE as provided for in subparagraph a of paragraph 4 of subsection B of [Section 6-101.16](#) of this title into the evaluations used in all school sites within the district. For the 2015-2016 school year and each school year thereafter, fifty percent (50%) of the evaluation rating of teachers and administrators shall be based on the qualitative component of the TLE and fifty percent (50%) shall be based on the quantitative component of the TLE;

2. Be prescribed in writing at the time of adoption and at all times when amendments to the policy are adopted. The original policy and all amendments to the policy shall be promptly made available to all persons subject to the policy;

3. Provide that all evaluations be made in writing and that evaluation documents and responses thereto be maintained in a personnel file for each evaluated person;

4. Provide that every probationary teacher receive formative feedback from the evaluation process at least two times per school year, once during the fall semester and once during the spring semester;

5. Provide that every teacher be evaluated once every year, except for career teachers receiving a "superior" or "highly effective" rating under the TLE, who may be evaluated once every two (2) years; and

6. Provide that, except for superintendents of independent and elementary school districts and superintendents of area school districts who shall be evaluated by the school district board of education, all certified personnel shall be evaluated by a principal, assistant principal, or other trained certified individual designated by the school district board of education.

B. All individuals designated by the school district board of education to conduct the personnel evaluations shall be required to participate in training conducted by the State Department of Education or training provided by the school district using guidelines and materials developed by the State Department of Education prior to conducting evaluations.

C. The State Department of Education shall develop and conduct workshops pursuant to statewide criteria which train individuals in conducting evaluations.

D. The State Board of Education shall monitor compliance with the provisions of this section by school districts.

E. Refusal by a school district to comply with the provisions of this section shall be grounds for withholding State Aid funds until compliance occurs.

(13)

70 O.S. § 6-101.13 – Due Process Procedures

A. Whenever the school district board of education or the administration of a school district shall determine that the dismissal or nonreemployment of a full-time certified administrator from the administrative position within the school district should be effected, the administrator shall be entitled to the following due process procedures:

1. A statement shall be submitted to the administrator in writing prior to the dismissal or nonreemployment which states the proposed action, lists the reasons for effecting the action, and notifies the administrator of his right to a hearing before the school district board of education prior to the action; and

2. A hearing before the school district board of education shall be granted upon the request of the administrator prior to the dismissal or nonreemployment. A request for a hearing shall be submitted to the board of education not later than ten (10) days after the administrator has been notified of the proposed action.

B. Failure of the administrator to request a hearing before the school district board of education within ten (10) days after receiving the written statement shall constitute a waiver of the right to a hearing. No decision of the board of education concerning the dismissal or nonreemployment of a full-time certified administrator shall be effective until the administrator has been afforded due process as specified in this section. The decision of the school district board of education concerning the dismissal or nonreemployment, following the hearing, shall be final.

C. After full implementation of the Oklahoma Teacher and Leader Effectiveness Evaluation System (TLE) as set forth in [Section 6-101.10](#) of this title, a principal who has received a rating of "ineffective" as measured pursuant to the TLE as set forth in [Section 6-101.16](#) of this title for two (2) consecutive school years, shall not be reemployed by the school district, subject to the due process procedures of this section.

(13)

70 O.S. § 6-101.16 – Oklahoma Teacher and Leader Effectiveness Evaluation System

A. By December 15, 2011, the State Board of Education shall adopt a new statewide system of evaluation to be known as the Oklahoma Teacher and Leader Effectiveness Evaluation System (TLE). The Board shall work cooperatively with school districts to fully implement both the quantitative and qualitative components of the TLE in all school districts by the 2015-2016 school year as provided for in [Section 6-101.10](#) of this title, including determining the final calculation of the student academic growth measurement as provided for in division (1) of subparagraph a of paragraph 4 of subsection B of this section and developing a teacher/student assignment verification system.

B. The TLE shall include the following components:

1. A five-tier rating system as follows:

a. superior,

- b. highly effective,*
 - c. effective,*
 - d. needs improvement, and*
 - e. ineffective;*
- 2. Annual evaluations that provide feedback to improve student learning and outcomes, except as provided for in subsection C of this section;*
- 3. Comprehensive remediation plans and instructional coaching for all teachers rated as needs improvement or ineffective;*
- 4. Quantitative and qualitative assessment components measured as follows:*
 - a. fifty percent (50%) of the ratings of teachers and leaders shall be based on quantitative components which shall be divided as follows:*
 - (1) thirty-five percentage points based on student academic growth using multiple years of standardized test data, as available, and*
 - (2) fifteen percentage points based on other academic measurements, and*
 - b. fifty percent (50%) of the rating of teachers and leaders shall be based on rigorous and fair qualitative assessment components;*
- 5. An evidence-based qualitative assessment tool for the teacher qualitative portion of the TLE that will include observable and measurable characteristics of personnel and classroom practices that are correlated to student performance success, including, but not limited to:*
 - a. organizational and classroom management skills,*
 - b. ability to provide effective instruction,*
 - c. focus on continuous improvement and professional growth,*
 - d. interpersonal skills, and*
 - e. leadership skills;*
- 6. An evidence-based qualitative assessment tool for the leader qualitative portion of the TLE that will include observable and measurable characteristics of personnel and site management practices that are correlated to student performance success, including, but not limited to:*
 - a. organizational and school management, including retention and development of effective teachers and dismissal of ineffective teachers,*
 - b. instructional leadership,*
 - c. professional growth and responsibility,*
 - d. interpersonal skills,*
 - e. leadership skills, and*
 - f. stakeholder perceptions;*
- 7. For those teachers in grades and subjects for which there is no state-mandated testing measure to create a quantitative assessment for the quantitative portion of the TLE, the State Board of Education may adopt alternative percentages from those set forth in paragraph 4 of this subsection. Emphasis shall be placed on the observed qualitative assessment as well as contribution to the overall school academic growth; and*
- 8. For first-year teachers, evaluations shall be based solely on qualitative components set forth in subparagraph b of paragraph 4 of this subsection and the State Board of Education shall adopt alternative percentages from those set forth in paragraph 4 of this subsection.*

C. Career teachers receiving a "superior" or "highly effective" rating under the TLE may be evaluated once every two (2) years.

D. The Teacher and Leader Effectiveness Commission shall adopt the student academic growth and other academic measurement quantitative components of the TLE as provided for in subparagraph a of paragraph 4 of subsection B of [Section 6-101.16](#) of this title by May 1, 2014. The Commission shall provide oversight and advise the State Board of Education on the development and implementation of the TLE.

E. A school district which has incorporated quantitative components of the TLE pursuant to subparagraphs b and c of paragraph 1 of subsection A of Section 2 of this act may continue using those quantitative components, as defined by the school districts' written policies, regardless of the State Board of Education's adoption of quantitative components pursuant to this section.

F. The State Department of Education shall provide to the Oklahoma State Regents for Higher Education and the Oklahoma Commission for Teacher Preparation timely electronic data linked to teachers and leaders derived from the TLE for purposes of providing a basis for the development of accountability and quality improvements of the teacher preparation system. The data shall be provided in a manner and at such times as agreed upon between the Department, the State Regents and the Commission.

G. For purposes of this section, "leader" means a principal, assistant principal or any other school administrator who is responsible for supervising classroom teachers.

H. The State Department of Education shall keep records of annual evaluations received pursuant to this section confidential.

(13)

70 O.S. § 6-101.22 – Reasons for Dismissal of Career Teachers

A. Subject to the provisions of the Teacher Due Process Act of 1990, a career teacher may be dismissed or not reemployed for:

1. Willful neglect of duty;
2. Repeated negligence in performance of duty;
3. Mental or physical abuse to a child;
4. Incompetency;
5. Instructional ineffectiveness;
6. Unsatisfactory teaching performance;
7. Commission of an act of moral turpitude; or
8. Abandonment of contract.

B. Subject to the provisions of the Teacher Due Process Act of 1990, a probationary teacher may be dismissed or not reemployed for cause.

C. Upon full implementation of the Oklahoma Teacher and Leader Effectiveness Evaluation System (TLE) as set forth in [Section 6-101.10](#) of this title:

1. A career teacher who has been rated as "ineffective" as measured pursuant to the TLE as set forth in [Section 6-101.16](#) of this title for two (2) consecutive school years shall be

dismissed or not reemployed on the grounds of instructional ineffectiveness by the school district, subject to the provisions of the Teacher Due Process Act of 1990;

2. A career teacher who has been rated as "needs improvement" or lower pursuant to the TLE for three (3) consecutive school years shall be dismissed or not reemployed on the grounds of instructional ineffectiveness by the school district, subject to the provisions of the Teacher Due Process Act of 1990; and

3. A career teacher who has not averaged a rating of at least "effective" as measured pursuant to the TLE over a five-year period shall be dismissed or not reemployed on the grounds of instructional ineffectiveness by the school district, subject to the provisions of the Teacher Due Process Act of 1990.

D. Upon full implementation of the Oklahoma Teacher and Leader Effectiveness Evaluation System (TLE) as set forth in [Section 6-101.10](#) of this title:

1. A probationary teacher who has been rated as "ineffective" as measured pursuant to the TLE for two (2) consecutive school years shall be dismissed or not reemployed by the school district subject to the provisions of the Teacher Due Process Act of 1990; and

2. A probationary teacher who has not attained career teacher status within a four-year period shall be dismissed or not reemployed by the school district, subject to the provisions of the Teacher Due Process Act of 1990.

E. A teacher shall be dismissed or not reemployed, unless a presidential or gubernatorial pardon has been issued, if during the term of employment the teacher is convicted in this state, the United States or another state of:

1. Any sex offense subject to the Sex Offenders Registration Act in this state or subject to another state's or the federal sex offender registration provisions; or

2. Any felony offense.

F. A teacher may be dismissed, refused employment or not reemployed after a finding that such person has engaged in criminal sexual activity or sexual misconduct that has impeded the effectiveness of the individual's performance of school duties. As used in this subsection:

1. "Criminal sexual activity" means the commission of an act as defined in [Section 886 of Title 21](#) of the Oklahoma Statutes, which is the act of sodomy; and

2. "Sexual misconduct" means the soliciting or imposing of criminal sexual activity.

G. As used in this section, "abandonment of contract" means the failure of a teacher to report at the beginning of the contract term or otherwise perform the duties of a contract of employment when the teacher has accepted other employment or is performing work for another employer that prevents the teacher from fulfilling the obligations of the contract of employment.

H. A school district shall notify the State Board of Education within ten (10) days of the dismissal or non-reemployment of a probationary or career teacher for reasons outlined in subsection F of this section.

(13)

[70 O.S. § 6-101.24](#) – Steps for Administrator to Take Upon Identifying Poor Performance or Conduct

A. Upon full implementation of the Oklahoma Teacher and Leader Effectiveness Evaluation System (TLE) as set forth in [Section 6-101.10](#) of this title, when a teacher receives a rating as measured pursuant to the TLE as set forth in [Section 6-101.16](#) of this title that may lead to a

recommendation for the dismissal or nonreemployment of the teacher or when an administrator identifies poor performance or conduct that the administrator believes may lead to a recommendation for the dismissal or nonreemployment of the teacher, the administrator shall:

1. Admonish the teacher, in writing, and make a reasonable effort to assist the teacher in correcting the poor performance or conduct; and

2. Establish a reasonable time for improvement, not to exceed two (2) months, taking into consideration the rating on the evaluation or the nature and gravity of the performance or conduct.

B. If the teacher does not correct the poor performance or conduct cited in the admonition within the time specified, the administrator shall make a recommendation to the superintendent of the school district for the dismissal or nonreemployment of the teacher.

C. Whenever a member of the board of education, superintendent, or other administrator identifies poor performance or conduct that may lead to a recommendation for dismissal or nonreemployment of a teacher within the district, the administrator who has responsibility for evaluation of the teacher shall be informed, and that administrator shall comply with the procedures set forth in this section. If the administrator fails or refuses to admonish the teacher within ten (10) days after being so informed by the board, superintendent, or other administrator, such board, superintendent or other administrator shall admonish the teacher pursuant to the provisions of this section.

D. Repeated negligence in performance of duty, willful neglect of duty, incompetency, instructional ineffectiveness or unsatisfactory teaching performance, for a career teacher, or any cause related to inadequate teaching performance for a probationary teacher, shall not be a basis for a recommendation to dismiss or not reemploy a teacher unless and until the provisions of this section have been complied with.

(13)

FIRST-YEAR SUPERINTENDENTS IN OKLAHOMA PROGRAM

OAC 210:20-21-1. Requirements for first-year superintendents

(a) Purpose

The State Board reaffirms its commitment to provide support and services to school superintendents in Oklahoma. To assist first year superintendents in the state in providing their respective districts with maximum leadership, effective management, and strong educational programs, the following professional development requirements shall be met by each superintendent employed for the first time in the state of Oklahoma as a district superintendent:

(1) Meet qualifications for the Provisional or Standard School Superintendent Certificate.

(2) Attend professional development workshops or training seminars equal to eleven days (66 hours) of training:

(A) 1 day: Attend a meeting of the Oklahoma State Board of Education

(B) 2 days: Attend the State Superintendent's Annual Leadership Conference

(C) 8 days: Attend professional development workshops or training in the following general areas:

- (i) Superintendent/Board of Education Relationship
- (ii) Legal Issues/School Law/Open Meeting Laws
- (iii) Staff Relationship
- (iv) Community Relationship
- (v) School Finance
- (vi) Plant Management/School Facilities
- (vii) Setting School District/Site Goals
- (viii) *Special Education*

(b) Requirements to maintain certificate validity for second year

The School Superintendent's Certificate issued for the first year of employment as a district superintendent shall be considered invalid for the second year if the certificate holder has not met all requirements identified in (a) of this Section prior to the second year of employment as a district superintendent. Any district superintendent employed after the summer training conference has been offered shall enter the program at the point of employment and shall attend all training programs as listed in (a) of this Section. Verification of training shall be submitted to the director of the program at the State Department of Education. A certificate will be provided to superintendents upon completion of the training requirements.

(06)

MENTOR TEACHER

OAC 210:20-17-3. Mentor teachers; qualifications, selection and appointment, duties and responsibilities

- (a) *A mentor teacher shall be selected by the principal from a list of qualified teacher volunteers who have submitted their names for that purpose. After compilation of the list, the principal shall provide opportunity for input from the bargaining agent, where one exists. Membership or nonmembership in a professional teacher organization shall not be considered as a factor in selecting a mentor teacher. No teacher may serve as a mentor for more than one resident teacher at a time. When possible, a mentor teacher shall have successfully completed a mentor teacher professional development institute and be assigned to the same school site and have similar certification as the resident teacher. [70 O.S. § 6-182]*
- (b) It is the intent of the regulations that mentor teachers be selected who possess the requisite knowledge and skills for assisting the beginning teacher.
- (c) Every beginning teacher (zero years of experience as a classroom teacher) employed shall serve under the guidance and assistance of a mentor teacher for a minimum of one (1) school year. However, no beginning teacher shall serve under the guidance and assistance of a mentor teacher for less than 120 days.
- (d) Upon employment of a beginning teacher, the superintendent or chief administrative officer shall notify the principal of the areas of certification and the teaching assignment of the beginning teacher.
- (e) Within no more than ten (10) teaching days after the beginning teacher enters the classroom, the mentor teacher shall be selected.
- (f) It is the responsibility of the school district to ensure that a mechanism be provided whereby the mentor teacher will provide guidance and assistance to the beginning teacher a minimum of seventy-two (72) hours per year in classroom observation and consultation.

- (g) Emergency situations with regard to the selection and appointment of mentor teachers shall require State Board of Education action. **(06)**

NATIONAL BOARD CERTIFICATION

OAC 210:20-9-99. National Board Certification

- (a) Subject to availability of funds, a bonus in the amount prescribed in [70 O.S. § 6-204.2](#), shall be provided to Oklahoma teachers holding National Board certification.
- (b) If adequate funding is not available for a full bonus to be provided, the bonus amount may be prorated.
- (c) To document having a current National Board certificate and being employed full time as a classroom teacher in the public schools of Oklahoma, as of January 1 of the year the bonus is to be awarded, a verification form will be sent to each National Board certified teacher identified by the Oklahoma Commission for Teacher Preparation to be signed by the teacher and the superintendent of the local school district and returned to the State Department of Education before the bonus is awarded.
- (d) Other National Board certified teachers, submitting, as of January 1 of the year the bonus is to be awarded, a verification form documenting having a National Board certificate and being employed as a full-time teacher in Oklahoma, shall receive a bonus. The verification form, signed by the National Board certified teacher and the superintendent of the local school district shall be submitted to the State Department of Education before the bonus is awarded. Full-time equates to a minimum of 175 contracted days and a minimum of 6 hours per day, Monday through Friday, and must be correctly reported to the State Department of Education through school personnel records as a full-time equivalency of 1.0, and the individual must be coded as a full-time instructional position.

(08)

OAC 210:20-9-99.1. National certification bonus for school psychologists, speech-language pathologists, and audiologists

- (a) Subject to availability of funds, a bonus in the amount prescribed in [70 O.S. § 6-206](#), shall be provided to individuals currently providing service to children and who are an Oklahoma school psychologist who has been designated as a nationally certified school psychologist by the National School Psychology Certification Board, or a speech-language pathologist or audiologist who holds a Certificate of Clinical Competence awarded by the American Speech-Language Hearing Association.
- (b) If adequate funding is not available for a full bonus to be provided, the bonus amount may be prorated.
- (c) Psychologists, speech-language pathologists, or audiologists eligible for the bonus are those individuals currently employed in the public schools of Oklahoma and are carried on the school personnel report submitted to the State Department of Education. The individual must be coded as a speech-language pathologist, psychologist, or audiologist only. Individuals may be employed in multiple districts.
- (d) To document having a current national certificate, being employed by a public school district, and are currently providing services to children as a psychologist, speech-language pathologist, or audiologist, as of January 1 of the year the bonus is to be awarded, a verification form will be sent to each nationally certified person to be signed by the psychologist, speech-language pathologist, or audiologist and the superintendent of

the local school district and returned to the State Department of Education before the bonus is awarded.

- (e) Verification of national certification shall be provided to the State Department of Education prior to the bonus being awarded. **(09)**

TEACHER CERTIFICATION: TEACHER EDUCATION AND CERTIFICATION

OAC 210:20-9-96. Requirements for renewal or reissuance of certificates

(a) Standard certificate

(1) To renew a standard certificate a teacher must submit the appropriate application, pay the appropriate processing fee specified in [OAC 210:20-9-9 \(d\)](#) and complete one of the following options:

(A) Option I—the applicant shall have completed a minimum of three (3) years of school experience in an accredited school during the five (5) year validity of the standard certificate. Applicants who have completed fewer than three (3) years of school experience may substitute coursework in professional education and/or specialization from an accredited college or university for each year of experience they are lacking at the following rate: with two (2) years of experience, complete three (3) semester hours; with one (1) year of experience, complete four (4) semester hours; or with zero (0) years of experience, complete five (5) semester hours. College credit must be completed within the five (5) year period immediately preceding the date of application for renewal. Teachers who teach one-half day in an accredited school each school year for the five (5) year validity period of their certificate may renew a standard certificate. The following provisions apply if the certificate has been expired more than five (5) years: If the certificate has been expired for more than five years and the teacher was certified in and teaching in another state and has three years of experience within the five year period immediately preceding the date of application for renewal the experience will apply toward renewal.

(B) Option II—a teacher or administrator who is not employed as a teacher or administrator and holds a valid Oklahoma Standard Teaching Certificate may satisfy requirements for renewal of the Standard Teacher Certificate by completing seventy-five (75) points in professional development programs conferences and seminars approved by a public school district. A combination of professional development points, higher education credits and/or teaching experience may also be used for renewal of a valid standard teaching certificate. Only programs, conferences and seminars recognized for professional development credit by an Oklahoma public school district at the time the teacher attends the programs, conferences or seminars may be used to fulfill the renewal requirement. The individual seeking certification renewal is responsible to maintain his/her professional development attendance forms to submit to the State Department of Education. Exact combinations of professional development points, college credit hours and years of teaching experience will be determined by the Teacher Certification Section of the State Department of Education.

(C) Option III—Issue a two-year certificate immediately and then complete the following requirement.

(1) Successful employment for one year in an Oklahoma accredited school or accredited college or university. An administrator will provide supervision and

a teacher or appropriate colleague will provide assistance as needed. Ultimately, certification is contingent on the district or college/university-level evaluation of the candidate.

- (2) School experience, for purposes of renewing a standard certificate, is experience as a teacher, supervisor, or administrator in a school, educational agency, college, or university accredited by either a state board of education or state board of regents.

(b) Professional certificates

A professional certificate may be renewed if it has not been expired for more than five (5) years and renewal requirements are met.

- (1) To renew a professional certificate the applicant must submit the appropriate application and pay the appropriate processing fee. See [OAC 210:20-9-9](#) (d).
- (2) The applicant must have completed a minimum of five (5) years of school experience in an accredited school during the seven (7) year validity period of the certificate. Applicants who have fewer than five (5) years of school experience during the validity period of their professional certificate may substitute coursework in professional education or specialization from an accredited college or university for each year of school experience they are lacking at the following rate:
 - (A) With four (4) years of experience, complete three (3) semester hours;
 - (B) With three (3) years of experience, complete four (4) semester hours;
 - (C) With two (2) years of experience, complete five (5) semester hours;
 - (D) With one (1) year of experience, complete six (6) semester hours; or
 - (E) With zero (0) years of experience, complete seven (7) semester hours.
- (3) Teachers who teach one-half day in an accredited school each school year for the seven (7) year validity period of their certificate may renew a professional certificate.
- (4) The issuance of new professional certificates will be discontinued after December 31, 1988.
- (5) Individuals holding a valid professional certificate on December 31, 1988, will be allowed to retain that certificate by meeting renewal requirements.
- (6) School experience, for purposes of renewing a standard certificate, is experience as a teacher, supervisor, or administrator in a school, educational agency, college, or university accredited by either a state board of education or state board of regents.

(c) Licenses, provisional certificates

(1) Licenses

(A) A license will be in renewable status until conclusion of the Residency Program, at which time a recommendation regarding certification will be made. A license cannot be reissued to an individual who has served two (2) years in the residency program without receiving the residency committee's recommendation for a certificate.

(B) Application for reissuance of a license shall be submitted directly to the State Department of Education along with the appropriate processing fee.

(2) Non-CareerTech provisional certificates

Non-CareerTech provisional certificates may be renewed if requirements outlined by the State Department of Education toward meeting requirements for a standard certificate are met during the term of validity of the provisional certificate.

(3) CareerTech provisional certificates

CareerTech provisional certificates may be renewed if requirements outlined by the State Department of Education and/or the Oklahoma Department of Career and

Technology Education toward meeting requirements for a standard certificate are met during the term of validity of the provisional certificate.

(d) Supplemental renewal regulations

- (1) Experience as a professional employee of a state education agency or professional educational organization is considered valid experience for the renewal of a standard or professional certificate.
- (2) Teachers who teach one-half day in an accredited school (nursery--higher education) each year for the validity period of their certificate may renew a standard or professional certificate.
- (3) Teaching experience with the Oklahoma Department of Corrections Educational System, the Oklahoma Department of Human Services as a vocational rehabilitation counselor, with optional/special function schools in Oklahoma accredited by the North Central Association of Colleges and Schools, experience in the Head Start Program, full-time active military service, or experience as a member of the Oklahoma Legislature may be accepted in meeting requirements for renewal of a standard or professional certificate.
- (4) The State Board of Education shall recognize full-time service as a member of the staff of the House of Representatives, the Senate or the legislative service bureau in an area related to education as valid experience for renewal of the standard certificate. This experience is calculated at the same rate as it is for other teachers.
- (5) Any person who is receiving retirement compensation from the Teacher Retirement System may renew the last standard or professional certificate for the purpose of substitute teaching.
- (6) A minimum of two-thirds of a school year (120 days) acquired in not more than two (2) contractual school years during the validity of the certificate in accredited schools may be considered as one (1) year of school experience.
- (7) A teacher who has taught more than one-half of a day for 120 days or more will be considered as having had one year of experience.
- (8) Substitute teachers, unless under contract, may count experience acquired in not more than two (2) consecutive years during the validity of the certificate.
- (9) Student teaching, experience in nonaccredited schools, experience while not holding a valid certificate, and experience while providing contracted services will not be accepted as school experience for purposes of renewal.
- (10) Applications for renewal of standard or professional certificates or reissuance of licenses will not be accepted prior to January 1 of the year in which the certificate or license expires.

(00)

OAC 210:20-9-98. Administrative requirements of teacher certification

(a) Evaluation of foreign credentials. Foreign credentials must be either analyzed by a recognized translation service or an Oklahoma college before the State Department of Education will accept them.

(b) Noncitizens of the United States. Requirements for noncitizens seeking an Oklahoma teaching credential are as follows:

- (1) Noncitizens of the United States will be required to submit an unexpired United States Citizenship and Immigration Services (USCIS) employment authorization document with the application before an Oklahoma teaching credential may be issued.
- (2) The Oklahoma teaching credential may be issued/reissued for no longer than the validity of the employment authorization document.

(c) **Noncitizen Visiting Teacher Certification.** The State Board of Education may, upon request of a local school district, issue an international visiting teacher certification pursuant to [70 O.S. § 3-104\(6\)](#).

(1) An international visiting teacher certification may be issued to applicants who meet the following criteria:

(A) Applicant presents a document from an accredited public school district in this state offering employment following certification;

(B) Applicant must be a citizen of a country other than the United States and hold a J-1 visa issued by the United States Department of State;

(C) Applicant holds the equivalent of a bachelor's degree or higher from an accredited college or university in the subject area the applicant intends to teach and in the case of world languages, if the applicant is not a proficient native speaker of the target language to be taught, applicant has completed a major in the target language to be taught; in a world language other than English (WLOE) to be taught in Oklahoma;

(D) Applicants who seek to teach world languages must have a minimum of three years of teaching experience in the world language other than English (WLOE) target language requested to be taught unless the applicant is a proficient native speaker of the target language to be taught;

(E) Applicant is a participant in a visiting teacher program approved by the Oklahoma State Department of Education;

(F) Applicant must demonstrate proficiency at the advanced-low level of the American Council on the Teaching of Foreign Languages' (ACTFL) proficiency scale in both spoken and written English; and

(G) Applicant must complete an orientation program prior to employment and must be assigned a mentor teacher by the district.

(2) Applicants meeting all qualifications shall be granted a one-year teaching credential which may be renewed on a year-to-year basis for a maximum of three years upon request of the employing district.

(d) Native American Language Teacher Certification. The State Board of Education may, upon application, issue a teacher certification in Native American Languages. For purposes of this subchapter, a "Native American Language" means the historical, traditional languages spoken by Native Americans. For purposes of this subchapter, "Native American" shall have the meaning set forth in 25 U.S.C § 2902(1)-(2).

(1) A Native American language certification may be issued to applicants who meet the qualifications set forth in 210:20-9-104(b) and provide documentation that the applicant has met the following criteria:

(A) Applicant has obtained a certification of proficiency in the language sought to be certified in accordance with the provisions of 210:20-9-104(b);

(B) Applicant has completed a background check conducted by the State Department of Education in accordance with the provisions of [70 O.S. § 5-142](#); and

(C) Applicant has submitted a portfolio documenting applicant's experience in teaching the Native American language in which the applicant has been certified by a tribe and any other experience related to education.

(D) Any applicant who does not hold an Oklahoma traditional or alternative teaching credential must complete a school orientation program prior to employment and must be assigned a mentor teacher by the district.

(2) Applicants meeting all of the criteria set forth in this subsection shall be granted a provisional Native Language teacher certification for a period of one year. After the

expiration of the one year provisional term, the Native Language teacher certification may be renewed in accordance with the following provisions:

(A) For an applicant who does not hold an Oklahoma traditional or alternative teaching credential, the Native Language certification may be renewed on a year-to-year basis if:

(i) Renewal is requested by the employing district; and

(ii) As a condition of the first two renewals of the teaching certificate, applicant provides evidence of completion of 60 clock hours/points of a professional teaching development program each year. For purposes of (ii) of this subparagraph, a professional teaching development program may include:

(I) Programs, seminars, or conferences recognized for professional development credit by an Oklahoma public school district at the time the teacher attends; or

(II) Higher education coursework in teacher education from an accredited college or university.

(B) For an applicant who holds an Oklahoma traditional or alternative teaching certificate, the Native Language teacher certification may be renewed for a five (5) year period.

~~(d)~~**(e) Privacy and access.** Any person, with proper identification, that makes a written or oral request, will be informed of the certification status of any individual subject to certification. No other information will be given to a third party without the written consent of the person about whom the information is sought.

(1) College transcripts and other supporting documents will neither be duplicated by nor released by the State Department of Education.

(2) An original out-of-state teaching certificate may be returned, upon written request, to the applicant.

~~(e)~~**(f) Multiple applications.** When application is made at the same time for two (2) or more certificates of the same class, only a single processing fee will be charged.

(1) Applications may be made for multiple classes of certificates on one (1) form. There is a fee for each class.

(2) When application is made at different times for two (2) or more certificates, a fee will be charged for each certificate requested.

~~(f)~~**(g) Duplicate/update certificates.** A certificate/license may be duplicated or updated by submitting a written request and paying the fee.

~~(g)~~**(h) Change of name.** A legal change of last name on a certificate/license may be accomplished at any time upon written request and paying the fee.

~~(h)~~**(i) Refusal of certification.** No certificate/license will be issued unless all requirements for the certificate/license in question are fully met. In addition, no certificate/license will be issued if the attempt to become certified is based on misrepresentation, forgery, or fraud.

~~(i)~~**(j) Grounds for cancellation of certificates.** Any certificate/license, credential, or endorsement obtained by misrepresentation, forgery, fraud, or issued by error will be cancelled. Upon written request the holder must surrender the certificate/license in question to the State Department of Education.

~~(j)~~**(k) Felony as grounds for noncertification.** No person shall receive an Oklahoma certificate/license who has been convicted of a felony, any crime involving moral turpitude, or a felony violation of the narcotics laws of the United States or the State of Oklahoma, provided the conviction was entered within the ten (10) year period immediately preceding application for teacher certification.

~~(k)~~**(l) Revocation of teaching certificate.** Teaching certificates/licenses issued by authority of the Oklahoma State Board of Education may be revoked by the board for willful violation of

any rule or regulation of the board or any federal or state law or other proper cause. A certificate/license will be revoked only after a sufficient hearing has been given to the teacher before the State Board of Education in accordance with the hearing procedures set forth at 210:1-5-6.

(1) No person whose certificate/license has been revoked in Oklahoma or any other state shall be issued an Oklahoma certificate/license unless the revoked certificate/license has been fully reinstated by the revoking state and grounds for the revocation do not conflict with Oklahoma law.

(2) A person who has either voluntarily surrendered a teaching certificate in another state, been denied certification/licensure in another state or has had a certificate suspended in another state is not eligible for Oklahoma certification until an investigation has resolved the issues surrounding the surrender, denial, or suspension of certification.

~~(h)~~(m) **Extending provisional certificates.** A request for extension of validity of any expired provisional certificate will be presented to the State Board of Education only when extenuating circumstances seem to justify its consideration. These requests shall be submitted in writing by the employing superintendent. A superintendent who holds an expired provisional certificate needs to have the president of the local board of education make the written request.

~~(m)~~(n) **Degree/college credit accepted for certification regulations.** Only degrees conferred by state or regionally accredited colleges and universities recognized by the Oklahoma State Board of Education will be accepted by the Professional Standards Section as part of the requirements for teacher certification. Only work completed in state and regionally accredited colleges and universities, or transfer credit validated by them, will be accepted as a basis for teacher certification. For purposes of Oklahoma certification, state-accredited colleges and universities are considered to be colleges and universities accredited by the Oklahoma State Regents for Higher Education or their counterpart in other states (a statewide higher education coordinating board/agency of control). Regionally accredited colleges and universities are considered to be colleges and universities accredited by regional institutional accrediting bodies recognized by the United States Department of Education.

~~(n)~~(o) **Fee for duplicate licenses and certificates.** The State Board of Education shall charge and collect reasonable fees for the issuance and duplication of licenses and certificates.

(13)

OAC 210:20-9-104. Certification for languages with no subject area examination

(a) The Oklahoma State Department of Education (OSDE) shall issue a certification in world languages that have no state competency examination to qualified applicants who meet the following eligibility requirements.

~~(b)~~(1) A qualified applicant seeking certification in a world language that has no state competency examination must obtain a score of at least "intermediate-high" on the following exams administered by the American Council on the Teaching of Foreign Languages (ACTFL) in the foreign language for which the applicant is seeking certification:

~~(1)~~(A) The Oral Proficiency Interview (OPI) or the Oral Proficiency Interview Computer (OPIc); and

~~(2)~~(B) The Writing Proficiency Test (WPT)

~~(e)~~(2) The testing assessments listed in (b) of this ~~rule~~ Section are the only testing assessments which may be used as appropriate subject area assessments in a world language that has no state competency examination, unless the world language falls within the definition of a Native American Language set forth in 210:20-9-98(d).

~~(d)~~(3) Applicants holding a valid Oklahoma traditional or alternative credential may add a world language that has no state competency examination by meeting the requirements listed in ~~sub-section (b) (1)~~ of this ~~rule~~ subsection.

~~(e)~~(4) Applicants seeking certification in a world language that has no state competency examination who do not hold an Oklahoma traditional or alternative credential must meet the requirements of ~~sub-section (b) (1)~~ of this ~~rule~~ subsection and must qualify for an Alternative Placement Teaching Certificate. Applicants seeking certification pursuant to this section must comply with all statutory requirements of the Alternative Placement Program listed in [70 O.S. § 6-122.3](#).

(b) The Oklahoma State Department of Education (OSDE) shall issue a certification in Native American Languages that have no state competency examination to qualified applicants who meet all of the criteria set forth in 210:20-9-98(d) and who demonstrate proficiency in the Native American Language sought to be certified as determined by a federally-recognized tribe or tribal entity. For purposes of this subsection, proficiency in a Native American Language may be established as follows:

(1) Applicant holds a Native American Language certificate issued by:

(A) A federally-recognized tribe or tribal entity; or

(B) An organization which has been recognized by a federally-recognized tribe or tribal entity with authority to certify Applicant's proficiency in the Native American Language(s) of the Tribe; and

(2) Applicant has obtained a bachelor's degree or other academic degree designated by the federally recognized Tribe or Tribal Entity as a prerequisite to certification of proficiency in the Native American Language.

(c) As a prerequisite to recognition of certification of proficiency in a Native American Language, a tribe or tribal entity certifying proficiency in a Native American Language must provide the OSDE with an official statement issued by a tribe or tribal entity which identifies:

(1) The Native American Language(s) for which the Tribe or Tribal Entity intends to certify individuals as proficient, or, in the case of an organization identified pursuant to (b)(1)(B) of this subsection, the Native American Language for which the Tribe or Tribal Entity recognizes an organization with the authority to certify proficiency;

(2) A description of the systems and standards and subject area proficiency assessments that will be used by a tribe, tribal entity, or other organization identified in (b)(1)(B) of this subsection in certifying Native American Language teachers;

(3) A description of the educational requirements, training, professional development, language ability, and other qualifications necessary for teacher certification by the Tribe/Tribal Entity; and

(4) A description of the levels of proficiency and/or particular Native American Language course(s) for which the Tribe/Tribal entity intends to certify or recognize certification of an individual to teach.

(d) A certificate in Native American Languages shall qualify the authorized individual to accept a teaching position or assignment in any school district of the State of Oklahoma that offers or permits courses in Native American Language at the proficiency and/or grade level(s) for which they hold certification, provided that:

(1) A holder of Native American Languages teaching certificate who does not also have a current, valid Oklahoma traditional or alternative teaching credential may not teach any subject other than the Native American language and level(s) for which the individual has been certified; and

(2) In order to teach any Native American Language course offered by a school district for core academic subject as a world language credit rather than elective credit, a holder of a

Native American Language teaching certificate who does not hold an Oklahoma traditional or alternative teaching credential must either qualify for an Alternative Placement Teaching Certificate or teach the class in collaboration with a teacher of record who is highly qualified in any content area for the appropriate level of instruction.

(13)

OAC 210:20-9-103. Career development plan to teach early childhood - infants, toddlers, and three-year-olds

(a) The Oklahoma State Department of Education (OSDE) shall issue a credential to teach infants, toddlers, and three-year-olds, when the following requirements are met:

(1) Bachelor's degree in the area of child development or family relations with an emphasis in the development of infants and toddlers through age three (3) from a regionally accredited higher education institution recognized by the Oklahoma State Board of Education,

(2) Pass the Oklahoma General Education Test, and

(3) Pass the Federal Bureau of Investigation (FBI) criminal history check.

(b) The Oklahoma State Department of Education shall issue a standard teaching certificate when the following requirements are met:

(1) Complete three (3) semester hours in reading instruction from a regionally accredited higher education institution recognized by the Oklahoma State Board of Education.

(2) Documentation of successful completion of 180 days of employment by the program/site director.

(11)

RESIDENCY PROGRAM

OAC 210:20-15-3. Residency committee

(a) Members

A chairperson shall be chosen by each committee.

(b) Qualifications of members

Qualifications which members of the residency committee must meet are as follows:

(1) The mentor teacher must meet all qualifications specified in Subchapter 17, Mentor Teacher, of this Chapter.

(2) Higher education faculty members who serve on residency committees must have an active involvement in the institution's undergraduate or graduate programs and be acceptable to the local board of education.

(3) The administrator must serve in an administrative capacity in the district.

(c) Selection Process

(1) The mentor teacher shall be selected according to the rules in Subchapter 17, Mentor Teacher, in this Chapter.

(2) The administrator shall be designated by the local school board to serve on the committee within ten (10) teaching days after the resident teacher enters the classroom.

(3) The educator from higher education shall be identified on a mutual action basis by the superintendent and the teacher education institution coordinator. Upon the Oklahoma Department of Career and Technology Education's receiving an application from the local school enrolling a teacher in the *CareerTech* Teacher Induction program, ODCTE will notify the local universities. The designated university will make contact with the superintendent of the local school to initiate the induction process.

The ODCTE will contract with the university to provide new teacher mentoring and supervision to the local school, providing the university representative serving on the residency/induction committee has *CareerTech* expertise and experience.

(A) All local school district requests for an educator will be channeled through one central office on the teacher education institution campus designated by the president of said teacher education institution.

(B) To facilitate the selection of a higher education person, the superintendent will contact the designated teacher education institution coordinator of the teacher education institution that recommended the resident teacher for an Oklahoma teacher license and inform the coordinator of the resident teacher's license type. At that point, the teacher education institution coordinator will assume responsibility for identifying an appropriate educator to recommend to the superintendent for the residency committee.

(i) Each teacher education institution is expected to assume responsibility for its own graduates; however, in making assignments, consideration should be given to the resident teacher's geographic location and the distance to the recommending institution. It is expected that the teacher education institution coordinator will inform the requesting superintendent of the name of a qualified higher education person within ten (10) working days after the request has been made.

(ii) For out-of-state resident teachers, the superintendent will contact the designated teacher education institution coordinator of the nearest teacher education institution in Oklahoma and inform the coordinator of the resident teacher's license type. The institution coordinator will assume responsibility for recommending an educator with the appropriate expertise and experience. It is expected that the teacher education institution coordinator will inform the requesting superintendent of the name of a qualified higher education person within ten (10) working days after the request has been made.

(d) Role and function

(1) A residency program will not be complete unless the resident teacher has been employed for at least 120 days by the conclusion of the school year. If a resident teacher is employed for less than 120 days during one school year, it will be necessary for a residency committee to continue with the resident teacher during the next school year until a total of 180 days has been completed.

(2) The residency committee shall make a certification recommendation according to criteria established by the State Board of Education.

(e) Evaluation process

(1) A standard observation instrument adopted by the State Board of Education will be used by each residency committee to evaluate a resident teacher for certification purposes only.

(2) Each residency committee will meet with the resident teacher a minimum of three (3) times per year for evaluation review and recommendation.

(3) Each member of the committee will observe the resident teacher a minimum of three (3) times per year.

(4) The committee process shall follow the sequence set forth:

(A) Formal Committee Meeting I with the resident teacher to become acquainted with each other, elect a chairperson, establish a communication system, establish a schedule for committee member's activities, and review the evaluation form.

(B) Observation I is an independent visitation.

(C) Observation II is an independent visitation.

(D) Formal Committee Meeting II with the resident teacher to review progress and formulate recommendations concerning the teaching performance of the resident teacher.

(E) Observation III is an independent visitation.

(F) Formal Committee Meeting III with the resident teacher to make a recommendation concerning certification.

(f) Certification recommendation

(1) The recommendation of the committee members will be determined by a majority vote.

(2) The recommendation of the committee will be made to the State Board of Education and the preparing institution of higher education between April 10 and the end of the school term. If the resident teacher is a graduate of an out-of-state institution of higher education, the recommendation of the residency committee shall be made to the State Board of Education and the institution of higher education which serves on the committee.

(3) If a resident teacher has been employed for less than 120 days during the school year, it will be necessary for the resident teacher to continue as a resident teacher during the next school year until a total of 180 days has been completed. This recommendation for certification or an additional residency year will be made between the 150th and 180th day of employment.

(4) The State Board of Education will make an annual report to each teacher education institution in Oklahoma on the certification status of each of its graduates who was employed as a resident teacher.

(A) recommendation for certification;

(B) recommendation for a second year in the Residency Program; or

(C) recommendation for noncertification at the conclusion of the second residency year.

(g) Appeal procedures

(1) Pursuant to [70 O.S. § 6-203](#) any resident teacher not recommended for certification after completing two (2) years in the program may request a hearing before the State Board of Education to review the decision of the residency committee. All hearings shall be conducted in accordance with the Administrative Procedures Act, [75 O.S. § 309](#) et seq.

(2) The parties to the proceeding shall be the teacher and the Resident Teacher Committee members.

(3) A request for a hearing must be received by the State Superintendent of Public Instruction within sixty (60) days from the date of the committee's recommendation to deny certification.

(4) The Executive Secretary of the State Board of Education shall notify the teacher and the Resident Teacher Committee members of the time, date and place of the hearing.

(5) The request for hearing must state in specific terms all issues asserted by the teacher as required by [75 O.S. § 309](#) (B)(4). The request for hearing will be forwarded to residency committee members by the State Department of Education.

(6) The State Board of Education or a designated hearing officer appointed by the Chairperson of the Board, may present the parties with a pre-hearing schedule setting forth deadlines for submission of witness and exhibit lists. All exhibits set forth on the exhibit list and the witness list shall be provided to the Legal Services Section of the

State Department of Education or the designated hearing officer and opposing party according to the pre-hearing schedule.

- (7) The hearing shall be electronically recorded by the State Department of Education. In the event copies of the recordings are requested, the department may enlist the services of a certified court reporter; the cost to be borne by the party requesting transcription.
- (8) At the hearing the teacher shall proceed before the Board first. Upon conclusion of the teacher's presentation, the Resident Teacher Committee members shall have an opportunity to present information to the Board.
- (9) The Board may convene in executive session to review the evidence and arguments of the parties.
- (10) General Counsel for the Board shall act as legal advisor to the Board.
- (11) The Board may take such action as authorized by law.
- (12) Findings of fact and conclusions of law will be entered by the Board. The Board may direct legal counsel to reduce these to writing.
- (13) The findings and conclusions once finalized shall be mailed to the teacher and Resident Teacher Committee member by the Executive Secretary of the State Board of Education by certified mail, return receipt requested.
- (14) In the event the State Board of Education should designate a hearing officer to hear the appeal the following procedures shall be utilized:
 - (A) The hearing officer, once appointed, shall notify the parties of his or her appointment and inform them of any pre-hearing deadlines for witness and exhibit lists.
 - (B) Written recommended findings of fact and conclusions of law shall be prepared by the hearing officer after conclusion of the hearing and submitted to the parties and the State Board of Education
 - (C) The parties shall have the opportunities set out in [75 O.S. § 311](#) before action is taken on the proposed findings of fact and conclusions of law.
 - (D) After the parties have been given notice and an opportunity to file exceptions, present briefs and oral arguments in accordance with [75 O.S. § 311](#), action shall be taken to accept, reject, or modify the proposed Findings and Conclusions of the hearing officer. Within ten (10) days following the decision by the Oklahoma State Board of Education, finalized Findings of Fact and Conclusions of Law shall be mailed by the Executive Secretary of the State Board of Education to each of the parties by certified mail.

(h) Replacement of committee members

- (1) If it is necessary to replace a residency committee member, the Residency Program, State Department of Education, should be contacted and provided an official letter regarding the change. It is recommended that the residency committee chairperson and/or school district official discuss the situation with the Residency Program to assure all regulations are being fulfilled.
- (2) The resigning committee members should give the observation instrument(s) if any, to the chairperson or another member of the committee to keep until the assignment of a new committee member. The replacement committee member should receive the observation instrument(s) completed by original committee member. The replacement committee member should also review the observation instrument(s) completed by the remaining original committee members.
- (3) Replacement committee members are expected to enter the residency committee process at the point of departure of the original committee member and assume full

responsibility as committee member. If the original committee member has not made any observations of the resident teacher, the minimum requirement of three (3) independent observations is required of the replacement committee member. If prior observation(s) have been made by the original committee member, the replacement committee member is required to make at least two (2) independent observations of the resident teacher and complete two (2) observation instruments before Committee Meeting III.

- (4) The Residency Program at the State Department of Education should be contacted if there is a need for additional observation instruments.

OAC 210:20-15-4. Variations to the residency program regulations

- (a) If any of the situations identified in this Subsection or any other variation occurs, contact the Residency Program, State Department of Education, to be informed of proper procedures. Exceptions may include:
- (1) Licensed teachers employed after April 1;
 - (2) Resident teachers who have been employed for less than 120 days during the school year;
 - (3) Replacement of residency committee members;
 - (4) Resignation of resident teacher before residency process is completed.
- (b) Resident ROTC instructors are required to complete the Residency Program. **(95)**

STANDARDS OF PERFORMANCE AND CONDUCT FOR TEACHERS

OAC 210:20-29-1. Purpose

- (a) The standards of conduct for teachers in this Subchapter are adopted pursuant to [70 O.S. § 6-101.21](#) and [70 O.S. 6-101.22](#).
- (b) Teachers are charged with the education of the youth of this state. In order to perform effectively, teachers must demonstrate a belief in the worth and dignity of each human being, recognizing the supreme importance of the pursuit of truth, devotion to excellence, and the nurture of democratic principles. **(93)**

OAC 210:20-29-2. Mission statement

In recognition of the magnitude of the responsibility inherent in the teaching process and by virtue of the desire for the respect and confidence of their colleagues, students, parents, and the community, teachers are to be guided in their conduct by their commitment to their students and their profession. **(93)**

OAC 210:20-29-3. Principle I: Commitment to the students

- (a) The teacher must strive to help each student realize his or her potential as a worthy and effective member of society. The teacher must work to stimulate the spirit of inquiry, the acquisition of knowledge and understanding, and the thoughtful formulation of worthy goals.
- (b) In fulfillment of the obligation to the student, the teacher:
- (1) Shall not unreasonably restrain the student from independent action in the pursuit of learning,
 - (2) Shall not unreasonably deny the student access to varying points of view,
 - (3) Shall not deliberately suppress or distort subject matter relevant to the student's progress,

- (4) Shall make reasonable effort to protect the student from conditions harmful to learning or to health and safety,
- (5) Shall not intentionally expose the student to embarrassment or disparagement,
- (6) Shall not on the basis of race, color, creed, sex, national origin, marital status, political or religious beliefs, family, social or cultural background, or sexual orientation, unfairly
 - (A) Exclude any student from participation in any program
 - (B) Deny benefits to any students
 - (C) Grant any advantage to any student,
- (7) Shall not use professional relationships with students for private advantage,
- (8) Shall not disclose information about students obtained in the course of professional service, unless disclosure serves a compelling professional purpose and is permitted by law or is required by law. **(93)**

OAC 210:20-29-4. Principle II: Commitment to the profession

- (a) The teaching profession is vested by the public with a trust and responsibility requiring the highest ideals of professional service.
- (b) In order to assure that the quality of the services of the teaching profession meets the expectations of the State and its citizens, the teacher shall exert every effort to raise professional standards, fulfill professional responsibilities with honor and integrity, promote a climate that encourages the exercise of professional judgment, achieve conditions which attract persons worthy of the trust to careers in education, and assist in preventing the practice of the profession by unqualified persons.
- (c) In fulfillment of the obligation to the profession, the educator:
 - (1) Shall not in an application for a professional position deliberately make a false statement or fail to disclose a material fact related to competency and qualifications,
 - (2) Shall not misrepresent his/her professional qualifications,
 - (3) Shall not assist any entry into the profession of a person known to be unqualified in respect to character, education, or other relevant attribute,
 - (4) Shall not knowingly make a false statement concerning the qualifications of a candidate for a professional position,
 - (5) Shall not assist an unqualified person in the unauthorized practice of the profession,
 - (6) Shall not disclose information about colleagues obtained in the course of professional service unless disclosure serves a compelling professional purpose or is required by law,
 - (7) Shall not knowingly make false or malicious statements about a colleague,
 - (8) Shall not accept any gratuity, gift, or favor that might impair or appear to influence professional decisions or actions. **(93)**

OAC 210:20-29-5. Principle III

- (a) A career teacher may be dismissed or not reemployed for:
 - (1) Willful neglect of duty
 - (2) Repeated negligence in performance of duty
 - (3) Mental or physical abuse to a child
 - (4) Incompetency
 - (5) Instructional ineffectiveness
 - (6) Unsatisfactory teaching performance
 - (7) Commission of an act of moral turpitude
 - (8) Abandonment of contract

- (b) Subject to the provisions of the Teacher Due Process Act, a probationary teacher may be dismissed or not reemployed for cause.
- (c) *A teacher shall be dismissed or not reemployed, unless a presidential or gubernatorial pardon has been issued, if during the term of employment such teacher is convicted in this state, the United States or another state of:*
 - 1. Any sex offense subject to the Sex Offenders Registration act in this state or subject to another state's or the federal sex offender registration provisions; or
 - 2. Any felony offense. [[70- § 6-101.22](#)]
- (d) A teacher may be dismissed, refused employment or not reemployed after a finding that such person has engaged in criminal sexual activity or sexual misconduct that has impeded the effectiveness of the individual's performance of school duties. As used in this subsection:
 - (1) "Criminal sexual activity" means the commission of an act as defined at [Section 886 of Title 21](#) of the Oklahoma Statutes, which is the act of sodomy; and
 - (2) "Sexual misconduct" means the soliciting or imposing of criminal sexual activity. **(06)**

TEACHER DUE PROCESS HEARINGS

OAC 210:1-5-7. Teacher evaluation, dismissal, and non-reemployment

- (a) Teacher Evaluation, Dismissal, and Non-reemployment Act.
 - (1) The State Board of Education recognizes its regulatory and leadership role in the implementation of this statute and commits its cooperation accordingly. It believes that the most effective vehicle to promote professional growth is self-motivation. The teacher should be the prime recipient of the benefits of teacher evaluation thus identifying his/her own needs for improvement. The evaluation instrument serves as one objective measure by which administrators and boards of education can validly infer inadequate competencies of both teachers and administrators.
 - (2) The State Board of Education believes that grievances between boards of education and teachers can best be settled in the locale and thus supports the principle of due process before the local school board. It further supports the right of appeal in the exercise of human rights.
- (b) Duties. The law requires the State Board of Education to develop and adopt standards and procedures to be followed in due process hearings of local boards of education. Such standards are to follow the pattern of the [Administrative Procedures Act](#) [75 O.S. §§ 250-323].
- (c) Written policy of evaluation. A teaching principal may conduct teacher evaluations if so designated by the local board of education.
- (d) Minimum criteria for establishing evaluation systems. The written policy and procedures will facilitate the implementation of the Teacher Evaluation Law of 1977, as amended by House Bill No. 1466 ([70 O.S. §6-101.10](#)). Written policy of evaluation for all teachers and administrators is to be based on minimum criteria developed by the State Board of Education and shall include both teaching and administrative criteria. Each board of education shall maintain and annually review the evaluation policy. Each district's evaluation system should contain the following elements:
 - (1) A written policy addressing purpose, goals, objectives, targets,

- procedures, methods, and uses of the evaluation system. This policy shall be developed by the board in consultation with representative teachers and administrators.
- (2) Procedures for making evaluation information available to all affected personnel.
 - (3) A listing of the evaluation and hearing steps.
 - (4) Written performance criteria by which to evaluate all certificated staff. This must include, but is not limited to, state mandated minimum criteria for effective teaching performance and minimum criteria for effective administrative performance.
 - (5) Dates (or a schedule) for evaluation visits for probationary and tenured staff.
 - (6) Identification of the personnel or positions which will perform the evaluations.
 - (7) What is to be evaluated. Consideration should be given to:
 - (A) Self-evaluation progress reports by individuals being evaluated.
 - (B) Criteria, in addition to state mandated criteria, which might include: criteria related to the job description, district goals, school objectives, and the previously cooperatively developed position objectives.
 - (C) Equitable application of evaluation criteria to all personnel.
 - (D) Evaluating only those things which are currently applicable to the job the staff member is performing and not those things which should have been evaluated during preemployment.
 - (8) Specified ways that evaluation data will be collected as well as when, how long, and how observations will be performed.
 - (9) Security and controlled access to the evaluation reports.
 - (10) Provisions for initial, post visit, and follow-up conferences with evaluator or immediate supervisor. Forms should be completed by evaluator, signed, then reviewed, commented on, and signed by the person being evaluated.
 - (11) Place for recommendations, prescriptions, or citations of inadequacy. These procedures should include written statements by the evaluator as to:
 - (A) What should be done by the person evaluated, including level of performance expected.
 - (B) When the corrective action is expected to be completed, which time shall not exceed two months.
 - (C) What resources the school will provide to help the person evaluated achieve the expected performance.
 - (D) The form in which the report of performance should be submitted (i.e., oral interview, self-evaluation report, narrative description, list of data action documents, etc.).
 - (12) Ways the administration will provide resources and assistance for corrective action. This assistance should provide alternatives which could include:
 - (A) Assignment to another school or position within the district.
 - (B) Visitations and planning.
 - (C) Demonstrations or simulations.
 - (D) Video tapings and assigned supervisor.
 - (E) Reports.
 - (F) Special supervision.
 - (G) Assignment to a performance team.
 - (H) Conference.
 - (I) Workshops and inservice sessions.
 - (13) Ways the district will utilize the evaluation finding to improve learning in the district to:

- (A) Develop inservice education programs to resolve inadequacies.
 - (B) Identify areas where improvements are needed.
 - (C) Provide justification for changes in staff, facilities, resources, and programs, or to be a needs assessment for developing new programs.
 - (D) Disseminate valuable information to various publics.
 - (E) Provide a record of the quality of teaching and quality of staff in the district.
- (e) Procedures designed to avoid potential teacher dismissal. Principals having delegated administrative responsibilities as a part of the comprehensive operation of their respective schools have an inherent obligation for the professional success of their teaching staff. Subsequent to an analysis of the results of a number of measures from which it can be validly inferred from a teacher's performance the principal or evaluator shall, according to law:
- (1) Bring the matter to the attention of the teacher, in writing, and make a reasonable effort to assist the teacher to correct whatever appears to be the cause for potential dismissal or nonreemployment; and
 - (2) Allow a reasonable time for improvement, which time shall not exceed two (2) months. The nature and gravity of the teacher's conduct shall be considered in determining what length of time would be reasonable. If the teacher does not correct the cause for potential dismissal or nonreemployment within a reasonable length of time, the principal shall make a recommendation to the superintendent of the school district for the dismissal or nonreemployment of the teacher. This section does not apply to a superintendent of schools. (*Jackson v. Independent School Dist. No. 16 of Payne County*, [648 P.2d 26](#), Okla. 1982)
 - (3) The school system should make facilities at its disposal available to help such teachers. The principal will encourage the use of such facilities as:
 - (A) an accessible professional library and/or media center;
 - (B) local, county, and State Department of Education supervisory services;
 - (C) inservice education activities with local, county, regional service center, college, or state groups;
 - (D) individual study; and
 - (E) the acquisition and utilization of a wide variety of teacher materials.
- ~~(f) Pretermination procedures. Subsequent to the decision by the superintendent that cause does, in fact, exist for the dismissal or nonreemployment of a teacher certain steps must be followed. These include notification and hearing. The United States Supreme Court has ruled that school employees have certain pretermination rights which must be met prior to dismissal which include:~~
- ~~(1) Being told orally or in writing the charges against the employee.~~
 - ~~(2) Being given an explanation of the school's evidence against the employee; and~~
 - ~~(3) Being given an opportunity to present evidence in person or in writing of why the employee should not be discharged.~~

(12)

OAC 210:1-5-8. Teacher due process hearings; hearing procedures.,

- (a) The parties to the hearing are the career ~~or probationary~~ teacher and the district superintendent or designee and they shall be afforded the following rights at any hearing held pursuant to these regulations.
- (1) The right to be represented.
 - (2) The right to present witnesses in person or to present their testimony by interrogatories, affidavits, or depositions as agreed by the parties. A list of all

witnesses and a list of exhibits shall be furnished to the other party at least five (5) days before the hearing.

- (3) The right to cross-examine witness.
 - (4) The right to testify in his/her own behalf and present evidence and argument on all issues involved.
 - (5) The right to have an orderly hearing.
 - (6) The right to have an impartial decision based upon the evidence presented.
- (b) The President of the school board, or in case of absence a designee, shall be the presiding officer at the hearing.
- (c) All hearings shall conform to the following:
- (1) Hearings shall be held no sooner than twenty (20) and no later than sixth (60) days after the teacher receives written notification of the recommendation for dismissal or nonreemployment and notice of the opportunity for hearing.
 - ~~(1)~~(2) Hearings held within the scope of these guidelines shall be convened by the President of the board who shall state the purpose of the hearing, introduce the parties and administer the oath to all persons who will testify.
 - ~~(2)~~(3) Upon the request of either party, the Presiding Officer may exclude from the hearing room the witnesses not at the time under examination, except that a party to the proceeding and his/her representative shall not be excluded.
 - ~~(3)~~(4) At the hearing, the burden of proof shall be on the superintendent and the standard of proof shall be by a preponderance of the evidence.
 - ~~(4)~~(5) While a record of the hearing is not required by law, the State Board of Education strongly suggests that the local board of education maintain such a record (including a tape recording of the hearing and any documents or evidence presented to the board) for two (2) years from the date of the hearing. Procedures for conducting hearings shall apply for career and probationary teachers.
 - ~~(5)~~(6) Informal disposition of any recommendation for dismissal or nonrenewal may be made by written stipulation, agreed settlement, consent order or default.
- (d) The order of procedures shall be:
- (1) Opening statement by superintendent.
 - (2) Opening statement by the teacher.
 - (3) Presentation of superintendent's evidence, followed by cross-examination of witnesses by teacher.
 - (4) Questions by local board members.
 - (5) Presentation of teacher's evidence followed by cross-examination of witnesses by superintendent.
 - (6) Questions by local board members.
 - (7) Presentation of Rebuttal and Surrebuttal Evidence as necessary.
 - (8) Closing argument by superintendent.
 - (9) Closing argument by teacher.
 - (10) Deliberation by local board.
 - (11) Vote by local board to accept or reject the superintendent's recommendation and recitation of findings of fact upon which the decision is based.
- (e) Presentation and consideration of evidence shall abide by the following:
- (1) Only evidence which reasonably relates to the issues before the board, as reflected in the notice to the teacher, should be deemed relevant.
 - (2) Strict rules of evidence as required by a court of law shall not apply in these hearings.
 - (3) Rulings on admissibility of evidence will be made by the Presiding Officer.

- (4) Documentary evidence may be received in the form of copies or excerpts.
 - (5) Documentary evidence presented to the board shall be marked with a distinguishing number or letter such as Teacher's Exhibit #1 or Superintendent's Exhibit #1.
 - (6) While hearings are open to the public, no questions or statements will be allowed by members of the public attending the hearing except through the parties or their council.
- (f) Decision on hearing will be rendered.
- (1) After due consideration of the evidence and the testimony presented at the hearing, the local board shall decide whether to dismiss or nonreemploy the teacher.
 - (2) The board's decision shall be voted in open meeting.
 - (3) The decision of the board shall include a recitation of the basic or underlying facts relied upon by the board in reaching its decision.
 - (4) The board shall notify the career ~~or probationary~~ teacher in writing of its decision as set out above by certified mail, restricted delivery, return receipt requested or substitute process as authorized by law within ten (10) business days of the hearing.
 - (5) The school board's decision regarding the dismissal or nonreemployment of a ~~probationary~~ teacher is final. **(12)**

INDEX

Abbreviated Day.....	185
Academic Performance Targets.....	266
Academic Scholars.....	266
Accreditation Status.....	143, 202, 229-231
ACE (Achieving Classroom Excellence Act).....	78, 80
Acquired Immune Deficiency Syndrome (AIDS)	
-Diagnosed Student Guidelines.....	184
-Prevention Education.....	254
Activity Absences.....	255
Adjunct Teachers.....	320
Administrative Assistants.....	86
Administrator Evaluation.....	43, 161, 321-327
Admission	
-To School.....	26
-To Technology Center.....	173
Adult Basic Education.....	262
Advisory Councils.....	184
Alternative Education.....	185
Annexation.....	186
Arts Education.....	61, 66, 69, 271, 320
Assessment.....	54, 167
Assistant Superintendent	
-Technology Center.....	170
Athletic Coaches	
-Care and Prevention of Athletic Injuries.....	101, 103
Attendance.....	24, 47
-Average Daily Attendance (ADA).....	32, 313
-Technology Center.....	159, 167
Audits	
-Attendance.....	22

-Financial.....	22, 127
Average Daily Membership (ADM).....	313
Birth Certificates.....	26, 287, 313
Board of Education (see School Board)	
Budget.....	126, 177
Buses.....	244
-Requirements for Bus Drivers.....	245
Capital Improvement.....	134, 180, 192
Cardiopulmonary Resuscitation.....	107
Care and Prevention of Athletic Injuries.....	101, 102, 320
<i>CareerTech</i> (see Technology Center).	
Certificate Renewal	
-Driver Education Instructor.....	256
-School Bus Driver.....	247
-Teacher.....	332-334
Classroom Teacher Assistants.....	320
Class Size	
-Early Childhood.....	99
-Elementary School.....	99, 100
-Technology Center.....	169
Coaches.....	101-103, 320
Co-curricular Activities.....	50, 123, 225, 255
College Prep/Work Ready Curriculum.....	57, 64, 66, 82, 83
College Remediation Reports.....	315
Computer Assisted Pupil Accounting.....	193
Concurrent Enrollment.....	25, 70, 275, 304, 313
Consolidation.....	186-192
Core Curriculum.....	50, 53, 54, 59, 66, 72, 73, 231
Correspondence Courses.....	64, 70, 275, 315
Counseling Services.....	102-103, 106, 112, 173-174, 213, 217-218
CPR (see Cardiopulmonary Resuscitation)	

Curriculum.....	50-84, 151, 164-167, 314
Day Treatment Facilities.....	35, 195-198
Deputy Superintendent.....	86, 170
Deregulation.....	145-149
Dispensation of School District.....	186
Driver Education.....	256-258
Dropout Reports.....	308, 315
Due Process Hearing (Teachers).....	345-349
Duplicate Records.....	21
Early Childhood	
-Class Size.....	99
-Pilot Programs.....	194
Elementary School Counselor.....	100
Elementary School Principal.....	101
Elementary Superintendent.....	17, 44, 255
Elementary Specialists.....	101, 115
Elementary Teacher.....	100
Facilities	
-School.....	116, 118, 120, 133-141
-Technology Center.....	177, 179-181
Family Educational Rights and Privacy Act (FERPA).....	204, 210, 224, 226
Financial Audit.....	22, 127
Financial Support.....	126, 177
Financial Literacy (see Personal Financial Literacy Passport)	
First Year Superintendents.....	329-330
Foods of Minimal Nutritional Value.....	111
Gains (Gain/Loss).....	23-24, 193, 313
GED (General Educational Development).....	90, 261-264, 320
Gifted and Talented Education.....	28, 37, 259-261, 271
Graduation Requirements.....	56-84
-College Prep/Work Ready Curriculum.....	57, 64, 66, 82, 83

-Core Curriculum.....	50, 53, 54, 59, 66, 72, 73, 231
Harmony.....	12
-Lack of Harmony.....	44, 161
Headmaster.....	17
Health Services.....	20, 106-109
Healthy and Fit Advisory Committees.....	52, 56, 109
Heimlich Maneuver.....	107
High School Equivalency (see GED)	
High School Graduation (see Graduation Requirements)	
Home Based Students.....	314
Honor Society.....	227
Immunization.....	20
Independent Study.....	275, 315
Individualized Education Program (IEP).....	29, 47- 48, 65, 72, 77, 78, 81, 82, 112, 158, 166, 174, 196, 201, 225, 237, 242, 275, 290
Internet Courses.....	32, 72, 220-221, 315
Legislative Student Page.....	24
Length of School Day.....	18, 24, 37, 197, 229, 242
Length of School Year.....	18, 47, 160, 229
Library/Media (see Media Program)	
Lifelong Learning Section.....	261-262, 264-265
Lockdown Drills.....	137-138
Loss (Gain/Loss).....	23-24, 193, 313
Media Program.....	113-121
-Elementary.....	115-117
-High School.....	119-121
-Middle School.....	117-119
Mentor Teacher.....	89, 330-331, 335, 339
National Board Certification.....	18, 233, 331
Non-Accredited School.....	143, 186, 334
Nontraditional Instructional Delivery.....	220-222
Nurse.....	86, 107, 151, 322

Oklahoma Academic Scholar.....	266
Oklahoma Honor Societies.....	227-228
Oklahoma School Accountability System.....	266
Open Meeting Act.....	39-41, 44, 161
Organ Donor Education and Awareness.....	266
Page (see Legislative Student Page)	
Parent-Teacher Conference.....	25
Personal Financial Literacy Passport.....	61, 73-75
Personnel Records.....	86, 331
Philosophy and Goals.....	12-13, 50, 115, 126, 134, 154, 164, 179, 229, 255
Physical Education.....	51-53, 55, 71, 100, 107, 109, 266
Preparation Time (Planning Period).....	100, 103, 196
Principals.....	17-18, 20, 22, 44, 54, 56, 77, 86, 93-96, 101, 105, 126-127, 137, 151, 170, 194, 212, 216-220, 238, 255, 268, 278, 283, 315, 319-325, 345, 347
-Elementary Principals.....	101, 319
-Teaching Principals.....	100-101, 104, 345
-Technology Center Principals.....	170
Priority Academic Student Skills (PASS).....	50-51, 53-54, 64, 74, 166-167, 221-222, 288
Private Accrediting Associations.....	228-231
Professional Development.....	25, 38, 42, 74, 89, 104, 170-171, 219, 231-234, 329-332
Proficiency Based Promotion.....	72, 198, 270-275
Promotion	
-Employee.....	17, 159
-Promotion/Retention Policy Required.....	44
-Student.....	23, 198, 225, 229, 236-241
Reading Proficiency Act.....	275
Reading Sufficiency Act.....	234-241
Religious Holidays.....	20-21
Residence (of Student).....	26-28, 30-32, 146-188, 196, 199-201, 277
Residency Committee.....	89, 333, 339-343
Residential Treatment Programs.....	198-204
Retention (Student).....	44, 94, 198, 225, 237, 239

Saturday School.....	19, 79, 234, 235, 238
School and Community.....	12-13, 15, 43-44, 50, 55, 96, 106, 109, 126, 156, 177, 184, 198, 219, 255, 261, 284, 330, 343
School Board (District)	
-Continuing Education for Members.....	38-42
-Powers and Duties.....	28, 33, 38, 42-46, 52, 64-65, 69, 87, 98, 126, 139, 143, 146, 149-151, 186, 192, 214, 220-221, 224-225, 240, 315, 339, 345-349
-Records Management.....	43, 127-132
-Requirements for Candidacy.....	38, 40
-Technology Center.....	156, 180-181
School Day (Length).....	18, 24, 37, 197, 229, 242
School Scheduled Activities.....	14, 213, 243
School Year (Length of Term).....	18, 47, 160, 229
Seniors	
-From Out of State (transfer after junior year).....	62, 75, 80
State Board of Education	
-Acts prohibited by the State Board.....	21, 241-242, 282-283
-Powers and Duties.....	22, 31, 40, 51-52, 70-78, 88, 94-97, 108, 127-128, 148, 169, 186-192, 195, 103, 214, 218, 226, 247, 286, 293-297, 299, 324-331, 341, 345
-What must be reported to the State Board?.....	19, 32-34, 53, 65, 98-99, 147, 149, 160, 228, 235, 256, 268, 290, 315
State Board of Career and Technology Education.....	158-159, 169, 181
Statewide Virtual Charter School Board.....	312
Student Handbook.....	55, 165, 212, 227
Student Activities Program.....	122-123
- <i>Career</i> Tech Student Organizations.....	124, 175-176
Student Records.....	20-21, 180, 201-202, 274, 277
Summer School.....	160, 234, 257, 271, 315-316
Superintendents.....	17, 19-22, 31-32, 42-44, 86, 98, 127, 138, 147, 151, 184, 236, 255, 277, 284, 319-322
-Elementary Superintendents.....	17, 44, 46, 255-256, 321
-First Year Superintendents.....	329-330
-Technology Center Superintendents.....	86, 159-161

Suspension (Student).....	23-24, 201
-In-house.....	51, 56, 213
-Out of school.....	213
Suspension (Teacher or Administrator).....	322, 337
Teachers	
-Certification.....	45, 86-87, 90-96, 102-104, 151, 185, 194-197, 233-234, 256, 320, 330, 332-341
-Contracts.....	18-19, 45-46, 87-89, 161-162, 233, 321-322, 327-328, 334, 344
-Non-reemployment.....	328, 345
-Dismissal.....	99, 150-151, 161, 321-322, 325-329, 345-349
Technology Centers	
-Credit Earned Outside Regular School Day.....	47, 160
-Equipment and Supplies.....	179
-Four Year Participation (Student on IEP).....	158
-Guidance Services.....	169, 173-174
-Individualized Education Program (IEP).....	81-82, 112, 158, 166-167
-Placement Services.....	174
-Special Professional Personnel.....	169
Unit of Credit (Carnegie Unit—Definition).....	57, 314
Units or Sets of Competencies.....	57-71, 82, 83, 292
Virtual Charter School.....	107, 303, 312
Vision Screening.....	21, 109
Web Based Instruction.....	32, 72, 220, 221, 315