Standards for Accreditation
of
Oklahoma Schools

2014-2015

Janet Barresi
State Superintendent of Public Instruction
Oklahoma State Department of Education

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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.

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.

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PART I

Standards for Accreditation of Oklahoma Schools and Technology Centers

NOTES

STANDARD I

PHILOSOPHY (AND/OR MISSION) AND GOALS

STANDARD I

PHILOSOPHY (AND/OR MISSION) AND GOALS

G

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)**

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)**

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)**

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)**

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)**

NOTES

STANDARD II

SCHOOL-COMMUNITY RELATIONSHIPS

STANDARD II

SCHOOL-COMMUNITY RELATIONSHIPS

G

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)**

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)**

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)**

STANDARD III

ADMINISTRATION AND ORGANIZATION

STANDARD III

ADMINISTRATION AND ORGANIZATION

G

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)**

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.

(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 through 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) *Not more than thirty (30) hours each school year may be used for attendance of professional meetings and teachers may be paid for a length of term in excess thereof, under conditions hereinafter outlined. Subject to district board of education policy or collective bargaining agreement, additional 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. § 1-109]*

(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 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 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 distric*t. *[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]* **(09)**

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.

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 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(C)]*

(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.

(9) 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.

(10) Attendance records and teachers' grade books shall be filed with the district superintendent or his/her designee at the close of the school year.

(11) 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]*

(12) *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)**

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.

(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 El.

(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.

(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.

(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:

(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)**

210:10-1-17. Student Residency

(a) The residence of a student for school purposes is defined by *70 O.S. Section 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 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)**

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 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)**

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

Each new school board member shall complete the following requirements within 15 months of election:

(1) Two hours on school finance and reporting including public school finance and/or, if appropriate, Career Technology finance;
(2) Two hours on the Oklahoma Open Meeting/Open Records Act;
(3) One hour on new state and federal laws and their impact on local school districts;
(4) One hour on ethics, 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
(8) One hour on educational issues. **(09)**

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

(a) 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 State 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 State Department of Career and Technology Education. Requests for such approval must be in writing.
(b) 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. **(98)**

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)**

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

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.

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.

(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.

(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) *The local board shall not enter into any written contract with a teacher who does not hold a valid Oklahoma license/certificate; however, a board of education shall have the 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. [70 O.S. § 6-101]*

(B) A local board applying for and receiving federal funds shall employ properly certified staff to administer and/or teach in the activities funded.

(C) 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.

(D) 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.

(E) 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.

(F) 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 superintendent of schools appointed and employed by (the local) board shall be the executive officer of said board and shall perform such duties as said board directs. [70 O.S. § 5-106]*

(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.

(A) The chief executive officer shall prepare, or have prepared, and submit annually for the board's consideration a budget of anticipated income and expenditures.

(B) *Teachers employed in a school district shall have a written contract filed with the clerk of the board of education of the school district. [70 O.S. § 6-101]*

(C) *Beginning with the 1990-91 school year, each school district shall file, within 15 days of signing the contract, the employment contract of the superintendent of the . . . district with the State Department of Education . . .The school district shall not be authorized to pay any salary, benefits, or other compensation to a superintendent which is not specified in the contract on file. [70 O.S. § 5-141] The term superintendent also applies to Elementary superintendents. [70 O.S. § 6-101.4]*

(D) *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. [70 O.S. § 5-138]*

(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. **(06)**

ADDITIONAL STANDARDS FOR MIDDLE LEVEL SCHOOLS

M

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)**

ADDITIONAL STANDARDS FOR SECONDARY SCHOOLS

S

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)**

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

C

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

Students may enroll in *Career*Tech 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 *Career*Tech 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

STANDARD IV

CURRICULUM, INSTRUCTION, ASSESSMENT, CLIMATE AND GRADUATION REQUIREMENTS

G

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)**

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 develop a six-year school site improvement plan for the district which shall be monitored annually by the school. [70 O.S. § 5-117.4 and 70 O.S. § 3-104.2]*
(e) The school shall provide an organizational structure and curriculum which allows each student to progress in accordance with her/his individual growth and development.
(f) The curriculum shall reflect principles of human growth and development and the specific learning theories accepted by the school.
(g) The curriculum shall reflect the needs, the goals, and the values of the community.
(h) The curriculum shall utilize the resources of the community.
(i) The curriculum shall be developed, evaluated, and revised by the professional staff, with the appropriate involvement by the community and the students.
(j) 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. *All students shall gain literacy at the elementary and secondary levels through a core curriculum. [70 O.S. § 11-103.6 (A)]*

(1) *Students must develop skills in:*
- (A) *Reading*
- (B) *Writing*
- (C) *Speaking*
- (D) Listening
- (E) *Computing*
- (F) Quantitative and Spatial Thinking, and
- (G) *Critical Thinking [70 O.S. § 11-103.6(A)]*

(2) *Students therefore must demonstrate competency in the Priority Academic Student Skills in the following core curricular areas [70 O.S. § 11-103.6]:*
- (A) *Social Studies*
- (B) *Language Arts (reading, writing,* listening, *speaking and literature)*
- (C) *Languages* (foreign, Native American and/or *American Sign)* [70 O.S. § 11-103.1]
- (D) *The Arts*
- (E) *Mathematics*
- (F) *Science*

(3) *Schools shall provide for the teaching and/or the integration of:*
- (A) Instructional Technology
- (B) *Health/Safety and Physical Education*

  All school districts shall provide all students physical education programs which may include athletics. Beginning with the 2006-07 school year, the State Board of Education 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. [70 O.S. § 11-103.9]
- (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 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) Technology Education/TechConnect *(Hands-on Career Exploration)*

(4) Information Skills shall be integrated into the curriculum to facilitate the development of proficiency in locating, selecting, organizing and communicating information.

(5) The curriculum shall emphasize the interrelationships among areas of learning.
(6) Procedures shall be established and implemented which foster vertical and horizontal program articulation (scope and sequence) with the school and within affiliated schools.
(7) 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.
(8) 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. **(09)**

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.
(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)**

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. § 1210.505]*
(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) *Career*Tech 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.
(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)**

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. § 6-114, 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)**

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 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

S

210:35-9-31. Program of Studies and Graduation Requirements

(a) **Core Curriculum**

Students who entered the ninth grade prior to the 2006-07 school year shall enroll in the core curriculum for high school graduation. Beginning with students entering the ninth grade in the 2006-07 school year, in order to graduate from a public high school accredited by the State Board of Education with a standard diploma, students may enroll in the core curriculum for high school graduation upon written approval of the parent or legal guardian.

(b) 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.

(1) Units of credit required for high school graduation with a Standard Diploma (effective 2002-2003 and thereafter) are:

(A) *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: American Literature, English Literature, World Literature, Advanced English Courses, or other English courses with content and/or rigor equal to or above grammar and composition;*

(B) *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: Algebra II, Geometry or Geometry taught in a contextual methodology, Trigonometry, Math Analysis or Precalculus, Calculus, Statistics and/or Probability, Computer Science, or other mathematics courses with content and/or rigor equal to or above Algebra I. Provided, credit may be granted for Computer Science whether taught at the comprehensive high school or at a career and technology center; contextual mathematics courses 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; mathematics 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 mathematics courses with content and/or rigor equal to or above Algebra I;*

(C) *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 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 Physics, Principles of Technology, qualified agricultural education courses, or 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; contextual science courses 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; 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;

(D) *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: World History, Geography, Economics, Anthropology, or 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: 2 units or sets of competencies which may include, but are not limited to, courses in Visual Arts and General Music. [70 O.S. §11-103.6]*

(F) Personal Financial Literacy Passport.

(i) Effective with the 2008-2009 school year and beginning with the seventh grade, students shall fulfill the requirements for a Personal Financial Literacy Passport in order to graduate from a public high school accredited by the State Board of Education with a standard diploma. The requirements for a Personal Financial Literacy Passport shall be the satisfactory completion and demonstration of satisfactory knowledge in all 14 areas of instruction during grades seven through twelve. The fourteen (14) areas of instruction are:

(I) understanding interest, credit card debt, and online commerce;
(II) rights and responsibilities of renting or buying a home;
(III) savings and investing;
(IV) planning for retirement;
(V) bankruptcy;
(VI) banking and financial services;
(VII) balancing a checkbook;
(VIII) understanding loans and borrowing money, including predatory lending and payday loans;
(IX) understanding insurance;
(X) identity fraud and theft;
(XI) charitable giving;

(XII) understanding the financial impact and consequences of gambling;
(XIII) earning an income; and
(XIV) understanding state and federal taxes.

(ii) Instruction in these fourteen areas must align and meet the Personal Financial Literacy PRIORITY ACADEMIC STUDENT SKILLS (*PASS*) as adopted by the Oklahoma State Board of Education.

(iii) School districts shall have the option of determining when each of the 14 areas of instruction listed above shall be presented to students in Grades 7-12. Options include integration into one or more existing courses of study, a separate Personal Financial Literacy course, and/or use of State Department of Education PERSONAL FINANCIAL LITERACY online modules of learning. 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) 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 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 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) 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) Teachers providing instruction in personal financial literacy shall be secondary certified. [70 O.S. § 11-103.6h]

(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) *College Preparatory/Work Ready Curriculum*

Beginning with students entering the ninth grade in the 2006-07 school year, 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. In lieu of the requirements of the college preparatory/work ready curriculum for high school graduation, a student may enroll in the core curriculum for high school graduation, upon written approval of the parent or legal guardian of the student.

(A) *Four Units of English to include Grammar, Composition, Literature, or any other English course approved for college admission requirements;*

(B) *Three Units of Mathematics limited to Algebra I, Algebra II, Geometry, Trigonometry, Math Analysis, Calculus, Advanced Placement Statistics, or any other mathematics course with content and/or rigor above Algebra I and approved for college admission requirements;*

(C) *Three Units 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;*

(D) *Three Units of History and Citizenship Skills including one unit of American History, one-half unit of Oklahoma History, one-half unit of United States Government and one unit from the subjects of History, Government, Geography, Economics, Civics, or Non-Western culture and approved for college admission requirements;*

(E) *Two Units of the same Foreign Language or non-English language, or 2 Units 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;*

(F) *One Additional Unit selected from the courses listed above or career and technology education courses approved for college admission requirements; and*

(G) *One Unit or Set of Competencies of Fine Arts such as music, art, or drama, or 1 Unit or Set of Competencies of Speech.*

(H) Personal Financial Literacy Passport.

(i) Effective with the 2008-2009 school year and beginning with the seventh grade, students shall fulfill the requirements for a Personal Financial Literacy Passport in order to graduate from a public high school accredited by the State Board of Education with a standard diploma. The requirements for a Personal Financial Literacy Passport shall be the satisfactory completion and demonstration of satisfactory knowledge in all 14 areas of instruction during grades seven through twelve.

The fourteen (14) areas of instruction are:

(I) understanding interest, credit card debt, and online commerce;
(II) rights and responsibilities of renting or buying a home;
(III) savings and investing;
(IV) planning for retirement;
(V) bankruptcy;
(VI) banking and financial services;
(VII) balancing a checkbook;
(VIII) understanding loans and borrowing money, including predatory lending and payday loans;
(IX) understanding insurance;
(X) identity fraud and theft;
(XI) charitable giving;
(XII) understanding the financial impact and consequences of gambling;
(XIII) earning an income; and

(XIV) understanding state and federal taxes.

(ii) Instruction in these fourteen areas must align and meet the Personal Financial Literacy PRIORITY ACADEMIC STUDENT SKILLS (*PASS*) as adopted by the Oklahoma State Board of Education.

(iii) School districts shall have the option of determining when each of the 14 areas of instruction listed above shall be presented to students in Grades 7-12. Options include integration into one or more existing courses of study, a separate Personal Financial Literacy course, and/or use of State Department of Education PERSONAL FINANCIAL LITERACY online modules of learning. 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) 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 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 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) 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) Teachers providing instruction in personal financial literacy shall be secondary certified. [70 O.S. § 11-103.6h]

The local school board's graduation requirements may exceed the state graduation requirements of 23 units.

(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 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) 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) *As a condition of receiving accreditation from the State Board of Education, students in grades 9-12 shall enroll in a minimum of six periods, or the equivalent in block scheduling, of rigorous academic and/or rigorous Career*Tech *courses each*

day, which may include arts, vocal and instrumental music, speech classes, and physical education classes.

(7) *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 high schools accredited by the State Department of Education shall offer the core curriculum required for the Standard Diploma during a student's high school career. To meet graduation requirements, local options may include courses taken by advanced placement, concurrent enrollment, correspondence courses or courses bearing different titles. [70 O.S. §11-103.6]*

(8) The secondary academic programs may also provide the traditional units of credit to be offered in Grades 9-12 with each secondary school offering and teaching at least 38 units or their equivalent each school year. Four (4) of these units may be offered on a two-year alternating plan with 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 38 required units of credit or their equivalent.

(9) 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.

(10) District boards of education can make exceptions to state high school graduation 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 requirements of Section 11-103.6 of Title 70 of the Oklahoma Statutes. 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.

(11) 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.

(12) 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.

(13) Students enrolled in an alternative education program who meet the requirements of their plans leading to high school graduation developed pursuant to 70 O.S. *§* 11-103.6 shall be awarded a standard diploma.

(14) Beginning with the 2006-2007 school year, eighth grade students entering the ninth grade must meet the standards for graduation as currently required above or as required in 70 O.S. *§* 11-111 which specifies the college preparatory curriculum. Students pursuing the college preparatory curriculum that includes 3 social studies courses must successfully complete 1 unit of United States History, 1/2 unit of Oklahoma History and 1/2 to 1 unit of United States Government. The remaining 1/2 to 1 unit may be selected from the following: History, Government, Geography, Economics, Civics, or Non-Western Culture. Students must also have 2 arts as required by existing curriculum requirements in 70 O.S. *§* 11-103.6 for the college preparatory curriculum.

(15) *Implementation Timelines for Achieving Classroom Excellence (ACE)*

(A) *Achieving Classroom Excellence Steering Committee*	*July 1, 2006-December 31, 2009*
(B) *College Preparatory/Work Ready Curriculum*	*2006-07 School Year*
(C) *Release of test items, subject to availability of funds*	*2006-07 School Year*
(D) *Eighth grade tests in reading and mathematics online*	*2007-08 School Year*
(E) *Tests developed in English III, Geometry, and Algebra II*	*2006-07 School Year*
(F) *Tests implemented in English III, Geometry, and Algebra II*	*2007-08 School Year*
(G) *State Board of Education shall administer the multiple choice portion of the end-of- instruction tests online*	*2008-09 School Year*
(H) *School districts shall report the student's performance levels of satisfactory and above on the end-of-instruction tests on the student's high school transcript*	*Beginning with students who enter 9th grade in 2008-09*
(I) *Remediation in reading and mathematics*	*For 7th grade students based on CRT results from 2006-07 School Year*
(J) *Remediation in reading and mathematics*	*For 8th grade students based on CRT results from 2007-08 School Year*
(K) *Every student shall demonstrate mastery of the state academic content standards in the following subject areas in order to graduate high school with a standard diploma:* (i) *Algebra I*	*Beginning with students entering the 9th grade in 2008-09 School Year*

(ii) *English II, and* (iii) *Two of the following five:* (I) *Algebra II* (II) *Biology I* (III) *English III* (IV) *Geometry, or* (V) *United States History*	

(L) *Beginning with 9th grade students in 2008-09, three units or sets of competencies in mathematics completed in 9th through 12th grade; provided, if a student completes any required courses in mathematics prior to 9th grade, the student may take any other mathematics course to fulfill the requirement to complete three units in Grades 9-12.*	*2008-09 School Year*
(M) *Every public school student shall demonstrate mastery of the state academic content standards in reading and mathematics by the end of the student's 8th grade year. Students who do not score satisfactory or advanced shall be provided remediation by means which may include, but are not limited to, a summer academy, tutoring, online coursework, or other supplementary services.*	*Beginning in the 2009-10 School Year*

(16) *Implementation Guide for Achieving Classroom Excellence (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 student's performance levels of satisfactory and above on the end-of-instruction tests on the student's high school transcript.*

(C) *To demonstrate mastery, the student shall attain at least a satisfactory score on the end-of-instruction criterion-referenced tests.*

(D) *Students who do not attain at least a satisfactory score on any end-of-instruction test shall be provided remediation and the opportunity to retake the test until at least a satisfactory 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.*

(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 knowledge of the content areas. [70 O.S. §11-103.6]* **(08)**

ADDITIONAL STANDARDS FOR CAREERTECH/COMPREHENSIVE SECONDARY SCHOOLS

C

210:35-11-31. Program of studies

(a) Each *Career*Tech 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) *Career*Tech instructors in all *Career*Tech 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 *Career*Tech instructor shall be responsible for providing appropriate activities which will contribute to the development of each *Career*Tech 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 *Career*Tech instructor shall provide integration of academic and essential workplaceskills as they reinforce the *Career*Tech 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) Units or sets of competencies	College Preparatory Curriculum Requirements (70 O.S. § 11-103.6) Units or sets of competencies
3 Science: 1 unit or sets of competencies to 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 whether taught at a (1) comprehensive high school, or (2) 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; 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.	3 Units of Laboratory Science: limited to 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.

State Graduation Requirements (70 O.S. § 11-103.6) Units or sets of competencies	College Preparatory Curriculum Requirements (70 O.S. § 11-103.6) Units or sets of competencies
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, Math Analysis or Precalculus, Calculus, Statistics and/or Probability, Computer Science, contextual mathematics courses 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.	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: Math courses above Algebra I may be taught at either a high school or technology center.
	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.
	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.
Electives – *Career*Tech courses will count for elective credit.	Electives – *Career*Tech courses will count for elective credit.

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

STANDARD V

THE SCHOOL STAFF

G

210:35-3-81. Statement of the standard

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)**

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

(a) *The local board shall not enter into any written contract with a teacher who does not hold a valid Oklahoma license/certificate*; however, a board of education shall have the 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. *[70 O.S. § 6-101]*

(b) 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.

(c) 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 a valid Oklahoma superintendent's certificate issued by the State Board of Education. In addition, the technology center superintendent shall have a Standard Technology Center Administrator Credential which is issued by the Oklahoma Department of Career and Technology Education. Each superintendent employed for the first time in the state of Oklahoma shall participate in training in areas prescribed by the State Board of Education during the first year of employment as a district superintendent. The school superintendent's certificate will be considered invalid for the second year if the certificate holder has not attended all the seminars prior to the second year of employment as a district superintendent.

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

(e) Any administrative assistant whose responsibilities include the supervision of certificated personnel and/or educational programs 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) *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 and 70 O.S. § 6-127A]*

(h) *Every employee of the district shall have a signed loyalty oath on file. [50 O.S. § 36.1]* Official up-to-date transcripts showing the work of all secondary and elementary district school teachers, administrators and nurses shall be kept on file during the year in the office of the superintendent with copies at school sites *as well as the certificates of each teacher and administrator employed by the school. The filing of such certification shall be in the administrative office of the school site and shall indicate whether certification was obtained through emergency and/or alternative certification procedures. [70 O.S. § 6-170]* **(02)**

ADDITIONAL STANDARDS FOR ELEMENTARY SCHOOLS

E

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)**

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 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)**

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)**

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)**

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.

(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

M

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)**

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)**

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)**

210:35-7-44. Staff qualifications

(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

S

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.

(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)**

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)**

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)**

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)**

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)**

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

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

C

210:35-11-41. Staff qualifications

(a) Directors of *Career*Tech 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)**

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 *Career*Tech 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 *Career*Tech instructors and staff shall participate in professional inservice as required by the appropriate division, including summer *Career*Tech conference and mid-year activities. **(06)**

STANDARD VI

STUDENT SERVICES

STANDARD VI

STUDENT SERVICES

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)**

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)**

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 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.
(f) *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. [70 O.S. §1210.199]* **(05)**

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. *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 as required by 70 O.S. § 1210.284.* **(07)**

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. § 24-100(a).

(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)**

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 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

C

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 *Career*Tech 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)**

NOTES

STANDARD VII

THE MEDIA PROGRAM

STANDARD VII

THE MEDIA PROGRAM

G

For the fiscal years ending June 30, 2011, and June 30, 2012, accreditation shall not be withdrawn from or denied nor shall a penalty be assessed against a school or school district for failing to meet the media materials and equipment standards and media program expenditure standards as set forth in the accreditation standards adopted by the board. [70 O.S. § 3 – 104.4] **(10)**

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)**

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)**

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)**

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

210:35-5-71. Staffing

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

(1) OPTION A

ENROLLMENT	**QUALIFIED SPECIALIST REQUIRED**
Fewer than 300	At least a half-time certified library media specialist (librarian)
300 to 499	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	QUALIFIED SPECIALIST REQUIRED
Fewer than 300	At least one-fifth time certified library media specialist (librarian) and a full- time library assistant
300 to 499	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)**

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)**

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)**

210:35-5-74. Expenditures

In establishing a balanced print and nonprint collection, the minimum annual expenditure shall be as follows in the table below. The following may be included: books, periodicals, pamphlets, manuscripts, reports, prints, posters, microforms, multimedia packages or kits, specimens, realia, models, audio and video recordings, online databases, slides, computer disks, films, compact discs, video discs, and computer software. Textbooks, equipment, and salaries may not be included. All material in the school (decentralized materials) that have been processed and are cataloged by the media center may be 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 200 **(92)**

ADDITIONAL STANDARDS FOR MIDDLE LEVEL SCHOOLS

M

210:35-7-61. Staffing

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

ENROLLMENT	QUALIFIED SPECIALISTS REQUIRED
Fewer than 300	At least a half-time certified library media specialist (librarian)
300 to 499	At least one full-time certified library media specialist (librarian) 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 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)**

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)**

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)**

210:35-7-74. Expenditures

In establishing a balanced print and nonprint collection, the minimum annual expenditure shall be as follows in the table below. The following may be included: books, periodicals, pamphlets, manuscripts, reports, prints, posters, microforms, multimedia packages or kits, specimens, realia, models, audio and video recording, online databases,

slides, computer disks, films, compact discs, video discs, and computer software. Textbooks, equipment, and salaries may not be included. All materials in the school (decentralized materials) that have been processed and are cataloged by the media center may be included. The contributions of federally funded programs shall not be included in meeting this standard. **(92)**

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 200 **(92)**

ADDITIONAL STANDARDS FOR SECONDARY SCHOOLS

S

210:35-9-71. Staffing

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

ENROLLMENT	QUALIFIED SPECIALISTS REQUIRED
Fewer than 300	At least a half-time certified library media specialist (librarian)
300 to 499	At least one full-time certified library media specialist (librarian) 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)**

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)**

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)**

210:35-9-74. Expenditures

In establishing a balanced print and nonprint collection, the minimum annual expenditure shall be as follows in the table below. The following may be included: books, periodicals, pamphlets, manuscripts, reports, prints, posters, microforms, multimedia packages or kits, specimens, realia, models, audio and video recordings, online databases, slides, computer disks, films, compact discs, video discs, and computer software. Textbooks, equipment, and salaries may not be included. All materials in the school (decentralized materials) that have been processed and are cataloged by the media center may be 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 200	**(92)**

NOTES

STANDARD VIII

STUDENT ACTIVITIES PROGRAM

STANDARD VIII

STUDENT ACTIVITIES PROGRAM

G

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)**

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)**

ADDITIONAL STANDARDS FOR CAREERTECH/COMPREHENSIVE SECONDARY SCHOOLS

C

210:35-11-71. Student activities programs

(a) Each secondary *Career*Tech education program shall have an active and appropriate *Career*Tech student organization (CTSO) as an integral part of the *Career*Tech 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 *Career*Tech instructor with support and guidance from the administration.

(d) The school shall provide resources needed to support the *Career*Tech 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)**

NOTES

STANDARD IX

FINANCIAL SUPPORT

STANDARD IX

FINANCIAL SUPPORT

G

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)**

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.

(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)**

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)**

NOTES

STANDARD X

SCHOOL FACILITIES

STANDARD X

SCHOOL FACILITIES

G

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)**

210:35-3-186. Site and buildings: size and space; accessibility; maintenance; health and safety

(a) The site and building(s) shall be properly sized and equipped for the number of occupants and grades served. *[11 O.S. § 22-117 School Speed Limit Signs in Municipalities; 25 O.S. § 91.2 Display of Oklahoma Flag on School Premises Compulsory; 25 O.S. § 153 School to Display Flag ; 47 O.S. § 11-801 Speed Limit for School Buses—School Zones Outside Municipalities—Signs; 70 O.S. § 5-131, 70 O.S. § 5-131.1 , 74 O.S. § 324.8 State/Municipality Adoption of Building Codes—BOCA, SBCCI or ICBO; 74 O.S. § -324.11 Permits for Construction or Alterations of Building]*

(b) The site and building(s) shall be readily accessible, allowing access for handicapped persons to required programs. *[70 O.S. § 13-103]*

(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. *[70 O.S. § 5-131, 70 O.S. § 18-152 SPACE GUIDELINES FOR PLANNING EDUCATIONAL FACILITIES; Vocational Rehabilitation Act of 1973, Section 504; American National Standards Institute (ANSI) A117.1]*

(d) School facilities shall be able to accommodate changes in curriculum and/or equipment within a program. *[70 O.S. § 18-152, 70 O.S. § 18-153]*

(e) 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. *[70 O.S. § 18-152]*

(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. *[70 O.S. § 18-153]*

(h) 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 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; 70 O.S. § 59-1681 Authorizes State Board of Health to Adopt Codes—Selection from NFPA; 59 O.S. § 1850.3 Authorizes State Board of Health to Adopt Codes—BOCA Plumbing Code; 61 O.S. § 152 through 157 Oklahoma Lighting Energy Conservation Act; 70 O.S. §3-104; 70 O.S. § 5-*

131.1; 74 O.S. § 324..7 Fire Marshal; 74 O.S. § 324..8 State/Municipality Adoption of Building Codes—BOCA, SBCCI or ICBO; 74 O.S. § 324-11 Permits for Construction of Alteration of Buildings; Other citings—State Department of Education SPACE GUIDELINES FOR PLANNING EDUCATIONAL FACILITIES]

(i) 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. *[11 O.S. § 22-117 School Speed Limit Signs in Municipalities; 47 O.S. § 11-801 Speed Limit for School Buses—School Zones Outside Municipalities—Signs; 74 O.S. § 324.8 State/Municipality Adoption of Building Codes—BOCA, SBCCI or ICBO]*

(j) 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. *[40-O.S. § 403 and 404 Oklahoma Occupational Health and Safety Standards Act; Other citings—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) 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, 74 O.S. § 324.7 Fire Marshal; 74 O.S. § 324.11 Smoke Detectors]*

(l) 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. *[63 O.S. § 176 Fire Drills; 74 O.S. § 324.7 Fire Marshal]*

(m) All public school districts shall conduct a minimum of two tornado drills per school year, in which all students and school employees participate. 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) All public schools shall have a minimum of one lockdown drill each semester. 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. **(08)**

NOTES

STANDARD XI

ACCREDITATION STATUS

STANDARD XI

ACCREDITATION STATUS

G

210:35-3-201. Statement of the standard

(a) Each school site must submit an Application for Accreditation to the Accreditation/Standards Division 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 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 declared as a School Improvement School (to be implemented in school year 2008-09).

(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 Year 3 or beyond (to be implemented in school year 2008-09).

(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. **(09)**

STANDARD XII

DEREGULATION—RULES AND PROCEDURES

STANDARD XII

DEREGULATION—RULES AND PROCEDURES

G

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)**

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)**

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)**

210:35-3-228. Required application criteria to be considered for deregulated status

The State Department of Education shall develop an application for school district use. 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. The application shall contain the following criteria:

(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. 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.

(3) **Standard(s) To Be Deregulated**
The application shall clearly identify/state the regulation(s) from which the school district is proposing to be deregulated.

(4) **Financial Impact**
The application shall clearly delineate the projected financial impact the proposed deregulated status would create.

(5) **Timeline(s)**
The application shall clearly delineate the proposed timeline(s) which, if approved, will apply to the deregulated status, i.e., the date(s) the school district proposes to implement the deregulated status and the date(s) proposed to terminate the deregulated status.

(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 that the local board of education has approved the application for deregulation. **(92)**

NOTE: The application for deregulation is located on the internet website at http://www.sde.state.ok.us.

PART II

Standards for Accreditation of Technology Centers

STANDARD I

MISSION, VISION, AND GOALS

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.

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.

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.

STANDARD II

SCHOOL-COMMUNITY RELATIONSHIPS

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.

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.

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]*

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]*

STANDARD III

ORGANIZATION, ADMINISTRATION, AND PROGRAM OPERATIONS

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.

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 *Career*Tech 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.

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.

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 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.

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 *Career*Tech 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.

210:35-13-27. Summer school

A technology center desiring accreditation by the State Board of Education to offer *Career*Tech 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. *Career*Tech 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.

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 Action of 1964, *Title IX of the Education Amendments of 1977, Sections 503, 504, and 508 of the Rehabilitation Act,* the *Americans with Disabilities Act*, the I*ndividuals 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.

(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

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.

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 *Career*Tech 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 *Career*Tech 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) *Career*Tech 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

  (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) *Career*Tech 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.

210:35-13-44. Instructional delivery/process

(a) Instruction shall be designed specifically to meet the individual *Career*Tech and educational needs of its students. It shall encompass essential *Career*Tech areas and provide necessary laboratory, enrichment, and academic support experiences, plus work experience, where appropriate. Each *Career*Tech instructor shall be responsible for providing appropriate activities which will contribute to the development of each *Career*Tech 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 *Career*Tech 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, 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.

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 *Career*Tech 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 *Career*Tech 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;
   (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. Supp 2000 Sec 11-103.6 B3]*

(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. Supp 2000 Sec 11-103.6 B3 and 70 O.S. Supp 2000 Sec 11-103.6 F2]*

(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.-

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) *Career*Tech 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

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.

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*.

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.

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 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.

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.

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.

(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 *Career*Tech instructors and staff shall participate in professional inservice activities as required by the appropriate divisions including *Career*Tech 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 *Career*Tech Teacher Induction process shall be recognized as the equivalent to the residency/mentoring program.

STANDARD VI

STUDENT SERVICES

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 *Career*Tech Plan of Study. The technology center provides the guidance personnel, facilities, and materials required to meet the specialized needs of its students.

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 *Career*Tech 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.

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.

(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 *Career*Tech instructor shall have access to a copy of the IEP before the identified student begins instruction.

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

210:35-13-91. Statement of the standard

The technology center provides a diversified and balanced program of appropriate *Career*TechStudent Organization (CTSO) activities which are an integral part of each *Career*Tech career major and/or pathway.

(1) Each *Career*Tech 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 *Career*Tech 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.

STANDARD VIII

FINANCIAL SUPPORT

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.

STANDARD IX

TECHNOLOGY CENTER FACILITIES, EQUIPMENT AND SUPPLIES

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.

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]*

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.

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; S.L. § 1033 Speed Limit for School Buses—School Zones Outside Municipalities—Signs; 11 O.S. § 22-117; S.L. § 1034 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 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 citings—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 § 1210.82 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 § 9.104; 47 § 11-801; 11 § 22-117; 70 § 24-121; 47 § 11-1104 Overcrowding; 47 § 12-228]*

210:35-13-116. School facilities: protection of records

Permanent records of students and staff shall be protected from theft, fire or other damage.

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 *Career*Tech 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 modifications designed for *Career*Tech 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 *Career*Tech 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. 2001, Section 14-108, as amended.) 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 *Career*Tech 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

ADMINISTRATION AND ORGANIZATION

ACQUIRED IMMUNE DEFICIENCY SYNDROME (AIDS): GUIDELINES FOR DETERMINING THE LOCATION OF A DIAGNOSED STUDENT'S EDUCATIONAL PROGRAM

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

For the fiscal years ending June 30, 2011, and June 30, 2012, the law exempts school districts from participation in any state created advisory council or committee. This exemption does not apply to advisory councils or committees mandated by federal law or regulation. [70 O.S. § 3 – 104.4] ***(10)***

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. 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. § 500.1-500.35], 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

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 school calendar. **(00)**

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)**

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

210:1-3-2. Annexation, consolidation and dispensation

(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 O.S. § 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 is nonaccredited by the State Board of Education. [70 O.S. § 3-104.4]*

(B) *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). [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 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 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) **Guidelines and forms**

Copies of corresponding State Department of Education forms and guidelines for the implementation of annexations/consolidation are available from the consolidation officer of the State Department of Education.

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);

(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

210:30-3-1. Comprehensive Six-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]*

(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 Six-Year Capital Improvement Plan**

Each district shall submit to the State Board of Education a Six-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. § 18-152]*

(e) **Adoption**

The State Department of Education shall develop and submit for adoption by the State Board of Education a Six-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) **School's Capital Improvements Budget**

A school's 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]* **(05)**

COMPUTER ASSISTED PUPIL ACCOUNTING

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.

(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

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

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)**

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. Supp. 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)**

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)**

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)**

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 educational 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)**

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)**

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

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. Supp. 1998, 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. Supp. 1998, 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. Supp. 1998, 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. Supp. 1998, 1-113]

(5) When a child does not meet the criteria for residency provided in 70 O.S. Supp. 1998, 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. Supp. 1998, 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. § 607 (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. Supp. 1996, 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. Supp. 1996, 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. Supp. 1998, 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. Supp. 1998, 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

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.

(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)**

NONTRADITIONAL INSTRUCTIONAL DELIVERY SYSTEMS

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).

(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

(B) a faculty member at an accredited institution of higher education, possessing the specific content expertise necessary to teach the course. **(06)**

OKLAHOMA HONOR SOCIETIES

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.

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

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.

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.

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.

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

For the fiscal years ending June 30, 2011, and June 30, 2012, a school district board of education may elect not to adopt and offer a professional development program for certified and licensed teachers and administrators of the district. [70 O.S. § 6 – 194] **(10)**

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.

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)**

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)**

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 Professional Standards 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 Professional Standards 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

210:15-27-1. Reading Sufficiency Act

(a) No later than September 30, each public school district will submit a district reading sufficiency plan that includes a plan for each site to the State Department of Education for approval. The district reading plan will become a part of each district's Comprehensive Local Education Plan and must be updated annually as part of the requirements for receiving accreditation.

(b) 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. Submission date is to be determined by the School Improvement Division of the State Department of Education.

(c) 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. Submission date is to be determined by the School Improvement Division of the State Department of Education.

(d) Pursuant to the Reading Sufficiency Act, each school district 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 by July 1, 2008, these improvement goals shall be submitted to the State Board of Education. Submission date is to be determined by the School Improvement Division of the State Department of Education.

(e) Contingent on the availability of appropriated funds, the State Department of Education will award up to $150.00 to the public school districts for each currently enrolled first, second, and third grade student who is found to be in need of remediation reading.

(f) Reading sufficiency funds allocated under this section (e) must be used only for expenses relating to individual and small group tutoring, purchase of and training in the use of screening assessment measures, summer school programs, and Saturday school programs for students in the 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 is to be determined by the School Improvement Division 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 is to be determined by the School Improvement Division of the State Department of Education.

(i) Contingent on the availability of appropriated funds, the State Department of Education will 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) 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. Submission date is to be determined by the School Improvement Division of the State Department of Education.

(k) Reading Sufficiency funds allocated from the student count in (j) must be used for expenses relating to approved summer academy reading programs for participating eligible students.

(l) 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 administered by the Oklahoma Commission for Teacher Preparation or a scientifically based reading program administered by the State Board of Education;

(3) are taught by teachers who have successfully completed a professional development institute in reading administered by the Oklahoma Commission for Teacher Preparation, or a scientifically based reading professional development program administered by the State Board of Education, or who are certified reading specialists;

(4) include only eligible students not reading at grade level based on results from an assessment approved by the State Board of Education.

(m) Superintendents of districts offering summer academy reading programs will sign and submit an assurance statement that their program has met the requirements in (k) prior to receipt of funding. **(06)**

STATEWIDE ALTERNATIVE ACADEMIES PROGRAM

210:40-80-1. Definition

The following words or terms, when used in this Subchapter, shall have the following meanings, unless the context clearly indicates otherwise.

"Alternative academies program" means a school district that has been identified by the State Board of Education as having the highest percentage of dropouts and juvenile justice referrals based upon the audited Average Daily Membership (ADM) of grades 6-12 of the school district. **(00)**

LINDSEY NICOLE HENRY SCHOLARSHIP FOR STUDENTS WITH DISABILITIES PROGRAM ACT

210:15-13-7. Lindsey Nicole Henry Scholarship for Students with Disabilities Program

(a) ***Scholarship Requests.*** *When a parent of an eligible student requests a scholarship, they must notify the district of residence. The district of residence is defined as the legal district of residence, unless the child is a child with an IEP who has been on a transfer of any kind for three consecutive years, in which case the district is then defined as the receiving district, as required by 70 O.S. 13-103(d). If a child is on a transfer of any kind, that does not meet the three-year rule, and accepts the scholarship, the transfer is effectively terminated.*
(b) ***Payments.*** *Payments will be made to the private school on a quarterly basis upon verification of continued enrollment and attendance at the private school. Payments will be made in arrears, following the completion of each quarter. The payments will be made after the private school provides the public school with a quarterly attendance record for each child receiving the scholarship.*
(c) ***Private School Eligibility.*** *In order to be eligible to accept students on the scholarship, private schools must be accredited by the State Board of Education or another accrediting association approved by the State Board of Education. Only school districts within the state of Oklahoma can be accredited by the State Board of Education. No out of state schools are eligible to participate in the scholarship program.*
(d) ***Amount of Scholarship.*** *Within ten business days of receipt by the public school district of the parental request the State Department of Education must receive from the public school a request form for a determination of the calculation of the maximum scholarship amount. The State Department of Education must provide the calculation of the maximum amount of the scholarship to the public school in writing within fifteen business days of the receipt of the request. The parent shall be notified of the maximum amount of the scholarship in writing in a timely manner, not to exceed thirty business days from the request. Scholarship amounts will be calculated at the time of the parental request and will not change during the course of the school year regardless of a school district's mid-year adjustments. The amount of the scholarship will be calculated annually as required by 70 O.S. 13-101.1, Section 2(F)(1).*
(e) ***Tracking.*** *School districts providing scholarships shall annually report for child-count and funding purposes, all students who are attending a private school under the scholarship program to the State Department of Education. Students must be reported as Lindsey Nicole Henry Scholarship Students on both the Special Education Child Count and the First Quarter Statistical Report (FQSR) and the Annual Statistical Report (ASR). These scholarship students will also be tracked through the WAVE. [70 O.S. § 13 – 102.2]* **(10)**

TRANSPORTATION

210:30-5-1. District operation and management

(a) **Administration**

The 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.

(b) **Students**

(1) A student must live in a school district authorized by law to furnish transportation.

(2) 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.

(3) 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.

(4) The local school district is responsible for providing transportation for an eligible special education student when transportation has been identified as "related service" necessary to enable the student to receive the educational services outlined in his/her Individualized Education Program (IEP).

(5) 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 transportation area.

(c) **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.

(d) **Routes and boundaries**

All school bus routes shall be evaluated annually for safety and efficiency by the local school district supervisor of transportation or designee.

(1) **Boundaries**

(A) A change in transportation area made after July 1, will not become effective until the next July 1, unless all boards of education affected agree to the proposed change.

(B) 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.

(C) 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.

(D) When a dependent school district is surrounded by an independent school district, that district must be designated as the transportation area for the high school students.

(E) An independent school district's transportation route may extend into a dependent school district's territory to pick up students whose grade is not offered in the dependent district.

(F) 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.

(2) **Petition for changing boundary lines.**

(A) 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.

(B) The State Board of Education will approve a convenient date for an election, supply ballots, and send a representative to assist with the election.

(C) 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.

(3) **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:

(A) All or part of District "A" may be placed in the transportation area of high school District "B", whose transportation area is not adjacent to District "A", provided high school District "C", which has 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.

(B) 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.

(e) **School bus**

(1) **Equipment**

(A) 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.

(B) Vehicles having a seating capacity of fewer than (10) passengers, excluding the operator, are not required to meet the State minimum standards for school buses.

(2) **School bus inspections**

(A) 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 local Chief Administrative Officer or designee for a period of ninety (90) days.

(B) A school district shall have each school bus mechanically inspected annually by an inspector approved by the Oklahoma State Department of Education.

(C) 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.

(3) **School bus inspector qualifications**

(A) 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.

(B) Any person not meeting the qualifications as prescribed in (A) may be qualified to perform the annual school bus inspection by submitting proof to the Oklahoma State Department of Education that they meet the following qualifications:

(i) Two years experience as an automotive technician and certification by the Association for Automotive Service Excellence (ASE), or

(ii) Any person qualified to perform inspections under the Federal Motor Carrier Safety Act, appendix G.

(iii) Any person successfully completing an Inspector's Training Course approved by the Oklahoma State Department of Education.

(4) **Standards and school bus specifications**

(A) 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.

(B) State Standards in addition to Federal Requirements also apply as follows:

(i) 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 their 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.

(ii) 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.

(C) 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 insure 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..."

(f) **Special education**

(1) **Loading responsibility**

The local school district is responsible for the special education child 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.

(2) **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.

(g) **School bus driver certification**

(1) **General criteria**

(A) No board of education shall have authority to enter into any written contract with a school bus driver who does not hold a valid certificate issued by the State Board of Education authorizing said bus driver to operate a school bus.

(B) The State Board of Education requires all public school bus drivers to complete a school bus drivers training course approved by the State Department of Education to obtain a standard certificate.

(C) All school bus drivers must have not less than 20-40 vision (Snellen) in each eye and not less than 20-40 vision (Snellen) with both eyes and a minimum field of vision of 70 degrees horizontal median vision in each eye.

(D) Any person with diabetes requiring insulin by injection shall not be eligible for a school bus certificate.

(E) 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 nonintoxicating 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.

(F) All school bus drivers shall have an annual health certificate signed by a physician licensed by this state filed in the office of the local Chief Administrative Officer or designee 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 of the Federal Motor Carrier Safety Act, Subpart E 391.41 to 391.50.

(G) Substitute and activity school bus drivers shall meet all the requirements prescribed for regular bus drivers.

(H) At a minimum, the Chief Administrative Officer or designee 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.

(2) **Certificate requirements**

(A) The Chief Administrative Officer or designee shall certify to the State Department of Education that each applicant submitted for Standard Five-Year Certification:

(i) Is at least 18 years of age.

(ii) Has successfully completed a special school bus drivers' course approved by the State Department of Education.

(iii) 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.

(iv) Has not been convicted, plead guilty, or nolo contendere to a felony during the last ten years.

(v) Has passed a driving record check, and no certificate shall be issued to any person who, within the preceding three 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.
  (V) Has had four or more traffic violations. (excluding parking violations)

(B) The Chief Administrative Officer or designee shall certify to the State Department of Education that the applicant for an Emergency One-Year School Bus Driver Certificate (Not Renewable).
  (i) Is at least 18 years of age.
  (ii) Holds a valid Commercial Drivers License with the proper endorsements required by the Department of Public Safety.

(C) Requirements for Renewal of the Standard Five-Year Certificate include:
  (i) Every five years, each driver shall have successfully completed 4 hours per year of inservice training approved by the State Department of Education.
  (ii) The local Chief Administrative Officer or designee shall certify to the State Department of Education that the applicant meets all requirements for standard certification, [47 O.S. § 15-109]
  (iii) Each applicant has a health certificate on file signed by a licensed physician and meets all vision requirements and is not dependent upon insulin by injection,
  (iv) Each applicant has not been convicted or plead guilty of a felony in the last ten years, and
  (v) A driving record has been checked and meets State Board of Education requirements for certification. **(09)**

210:30-5-2. Procedures for resolution of transportation disputes

Pursuant to *[70 O.S. § 9-105; S.L. § 211]* 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)**

PART III

Rules of the
State Board of Education

CURRICULUM AND INSTRUCTION

ACQUIRED IMMUNE DEFICIENCY SYNDROME (AIDS): PREVENTION EDUCATION

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]*

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)**

CO-CURRICULAR AND EXTRACURRICULAR PROGRAMS AND ACTIVITIES

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

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)**

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)**

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)**

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)**

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)**

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)**

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)**

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)**

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

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.

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

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)**

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)**

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)**

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)**

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 through 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)**

LIFELONG LEARNING

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)**

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)**

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 ~~tests~~ test answer sheets to the contracted scoring service for scoring. ~~Lifelong Learning Section for scoring by the approved scoring service.~~
(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 $16 fee from each local GED Testing Center for scoring the GED Tests for processing the original GED Diploma and for the $6 first time test taker fee required by the GED Testing Service.~~ 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) ~~A $10 fee will be required on a retest for scoring and processing by the Lifelong Learning Section. If the retest is for only the essay or objective tests, a $5 fee is required~~. 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 minimum fee of $5 for duplicate GED Diplomas and GED transcripts. Payment will be made in the form of a certified check, money order, or cash.

(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. **(10)**

MIDDLE SCHOOL MATHEMATICS LABORATORIES FOR PUBLIC SCHOOLS WITH LOW STUDENT ACHIEVEMENT IN MATHEMATICS PROGRAM

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.

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

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

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

210:10-13-18. Oklahoma School Accountability System

(a) **Adequate Yearly Progress (AYP)**.

The Oklahoma School Accountability System shall be based on AYP. All public elementary and secondary schools and local educational agencies (LEAs) shall be accountable for student achievement and for making Adequate Yearly Progress (AYP) according to federal law. AYP will be determined by meeting or exceeding statewide performance targets for required student groups in Reading/Language Arts and Mathematics on state tests; administering tests to 95 percent of students in each required student group; and meeting statewide targets for attendance rates and graduation rates where applicable. Alternatively, schools shall make AYP by showing growth in Reading/Language Arts and Mathematics on state tests as required by Safe Harbor regulations as defined in the No Child Left Behind Act of 2001, Public Law 107-110.

(b) **Consequences of Testing Irregularities or Misconduct on Test Scores and AYP**.

(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 (Section 210:10-13-4) 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 (Section 210:10-13-4 (18). In the case of invalidation, 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. 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. (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 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: Scores for classes whose wrong-to-right erasures exceed the state average by more than four standard deviations shall be identified for further investigation. For each class with excessive erasures, the proportion of wrong-to-right erasures to the total number of erasures will be taken into account. 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 report of a testing irregularity or misconduct is made to the State Department of Education Student Assessment Section, the school site and/or school district involved shall be required to respond by conducting an investigation and providing in writing to the State Department of Education Student Assessment Section an explanation 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 report shall be prepared by the Student Assessment office for review by the State Superintendent and possible further action.

(c) **Procedures for Schools to Review AYP Data and Appeal Accountability Decisions.**

(1) To assure the validity of AYP determinations prior to the release of the AYP data reports, as required by No Child Left Behind, the State Department of Education will forward to schools the preliminary AYP 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 AYP Data Report.

(2) Upon receiving their preliminary AYP 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 AYP Data Reports and report any discrepancies with the data components previously reviewed by the district to the Student Assessment Section of the State Department of Education within the specified timeline.

(3) Subsequent to the review of the preliminary AYP Data Report, if a principal of a school, or a majority of the parents of the students enrolled in a school, believe that any accountability decision contained in the AYP 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 release of the AYP 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 a API score that prevents the school and/or district from making AYP, the district may appeal this accountability decision on a first time occurrence and request placement on Probationary Status instead of receiving an API score. At the end of the next consecutive year, if the school and/or district do not make AYP, they shall not be allowed to invoke Safe Harbor and shall automatically be identified as being in School Improvement status.

(5) When a school district or charter school appeals an accountability decision, the appeal request will be sent to the Office of Accountability and Assessment on the appeal form 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 30 day period required by the NCLB Act. 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 with the appeal request written evidence supporting its appeal. The district may also request to address the AYP 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 AYP Appeals Committee or is forwarded to the State Superintendent for a hearing pursuant to Title 75 O.S. § 309. The AYP Appeal Committee will consist of members of the State Department of Education's School Improvement Leadership Team and may also include additional members appointed by the State Superintendent. The AYP 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 thirty working days from release of the AYP 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 School Improvement schools.

(d) **Sanctions for public elementary and secondary schools that do not make Adequate Yearly Progress (AYP)**

(1) Title I schools that do not make Adequate Yearly Progress (AYP) for two consecutive years shall be identified as being in School Improvement status. Title I schools in the state of Oklahoma shall be subject to the sanctions defined in the No Child Left Behind Act of 2001, Public Law 107-110.

(2) Non-Title I schools that do not 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 in the No Child Left Behind Act of 2001, Public Law 107-110, as deemed appropriate based upon relevant circumstances of the school's performance. The sanctions shall include but not be limited to the following:

(A) provide 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 make Adequate Yearly Progress (AYP)**

(1) **Academic Achievement Awards - Title I, Part A.** Title I Schools that meet AYP shall be eligible for Academic Achievement Awards. Academic Achievement Awards, under section 1117 (b) of the No Child Left Behind Act of 2001, states that each state receiving a grant under federal funds shall establish a program for making academic achievement awards to recognize schools that significantly close the achievement gap between subgroups of students or exceed their adequate yearly progress. Schools that receive Title I, Part A funds are eligible for Academic Achievement Awards.

(2) **State Academic Performance Award Program.**

(A) All public elementary and secondary schools that make Adequate Yearly Progress, shall be recognized by the state as Distinguished Schools and eligible for state funds, if available, as established by the State Academic Performance Index (API) Program (O.S. § 70-30-152).

(B) Nonmonetary recognition 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. **(09)**

PROFICIENCY BASED PROMOTION

210:35-27-1. Purpose and scope

This Subchapter contains rules and regulations for credit for learning which relate to, and are in addition to, the accreditation standards set forth in Subchapters 1 through 13 of this Chapter.

210:35-27-2. Proficiency based promotion

(a) 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.
  (1) Proficiency will be demonstrated by assessment or evaluation appropriate to the curriculum area, for example: portfolio, criterion-referenced test, thesis, project, product or performance. 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
  (3) Proficiency for advancing to the next level of study will be demonstrated by a 90 percent or comparable performance on an assessment or demonstration.
  (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.
  (9) Exceptions to standard assessment may be approved by a local district for those students with disabling conditions.

(b) Students demonstrating proficiency in a core curriculum area 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.
  (1) The school will confer with parents in making such promotion/acceleration decisions. Such factors as social and mental growth should be considered.
  (2) 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.

(4) Students must progress through a curriculum area in a 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 student needs for advancement after they have demonstrated proficiency may include, but are not limited to, the following:
(1) Individualized instruction
(2) Correspondence courses
(3) Independent study
(4) Concurrent enrollment
(5) Cross-grade grouping
(6) Cluster grouping
(7) Grade/course skipping
(8) Individualized education programs

(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.

210:35-27-3. Appropriate notation for core curriculum area(s) completed

Appropriate notation will be made for elementary, middle level, or high school level students satisfactorily completing Grade 9-12 high school curriculum areas. Completion may be recorded with a letter grade or pass notation. This curriculum area will count toward meeting the requirements for the high school diploma. **(94)**

READING PROFICIENCY ACT

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

210:10-13-2. Oklahoma school testing program 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 tests to all students in the designated grades. The series of tests shall be field-tested/implemented by the amended schedule in *70 O.S. § 1210.508.*

(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), also known as English language learners (ELL), as identified in Public Law 107-110 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 (B).

(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 and 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 a 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 "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 of the school year without an enrollment lapse of ten or more consecutive days.

(f) Test results of all students who have been placed in a facility within a district by state or court order, shall not be used to determine the progress of the site or the 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 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 Web site.

(4) Beginning with the 2008-2009 school year, the 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. **(09)**

210:10-13-4. Test security and validity

(a) School administrators or their designees shall maintain security on tests administered under the auspices of the Oklahoma School Testing Program through following the procedures listed below:

(1) 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) The State Department of Education shall provide student/parent pretest information materials to schools for designated grade levels before testing.

(3) 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. 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) No person nor organization--either private or public--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 "off-grade" scoring and reporting) shall be reported by the contractor to the State Superintendent of Public Instruction.

(5) 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. Test booklets shall be individually sealed, as practicable, to prohibit them from being opened. When seals are used, the following procedures shall be followed: they shall remain intact until tests are distributed to students at the beginning of the test administration session; 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 unused tests shall remain sealed. When seals are not used, the following procedures shall be followed: tests booklets shall remain closed until distributed to students at the beginning of these test administration session; each test booklet shall be opened only by the student who is administered the test, except where special education

or Section ~~404~~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) All test materials shall be inventoried 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. 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 at least four weeks prior to the first designated testing window of each year. 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. 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) 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 a school or district being reported to the State Superintendent and (2) may result in invalidation of the school's and/or district's scores.

(8) 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) 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 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) 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) 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) 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 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) All of the following actions are prohibited in that such actions represent violations of test security:

(A) 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.

(B) 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.

(16) 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 of a school's and/or district's test scores.

(17) 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:
(A) distributed to, and
(B) returned from each school district.

(18) All test administration sessions shall be conducted according to the standardized procedures described in the test administrators' manuals. This includes reading the directions to students verbatim; 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 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.

(19) 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. 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.

(b) 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. **(09)**

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 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 Title 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)**

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)**

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)**

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)**

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)**

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 in the student's IEP under the Individuals with Disabilities Education Act (IDEA); or
  (2) specified for student served under Americans With Disabilities Act and Section 504 of the Rehabilitation Act of 1973.

(b) The 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, as specified in federal law.

(e) Students with the most significant cognitive disabilities shall participate in an alternate assessment named the Oklahoma 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). Teams of teachers shall score the OAAP portfolio. 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. **(09)**

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 curriculum 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 exam, which equals or exceeds the rigor of the end-of-instruction exam.

(3) **"Extenuating Circumstances"** means circumstances which are unexpected, significantly disruptive, beyond a student's control, and which may have reasonably 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) 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 by attaining at least a satisfactory or proficient score on the end-of-instruction exams or in the following way:

(1) Students who do not attain at least a satisfactory or proficient score on any of the required end-of-instruction 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 steps below until a satisfactory or proficient score is attained and meeting all other graduation requirements:

(A) Step One: Students shall be provided one or more remediation opportunities and will either:

(i) Retake the end-of-instruction exam(s); or

(ii) Score satisfactory or proficient on a State Board of Education approved alternate test in the subject area which may be taken prior to or subsequent to the end-of-instruction exam.

(B) Step Two: Students who do not achieve a satisfactory or proficient score through step one shall continue to receive remediation opportunities and will either:

(i) Retake the end-of-instruction exam(s); or

(ii) Score satisfactory or proficient on a State Board of Education approved alternate test in the subject area which may be taken prior to or subsequent to the end-of-instruction 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 (b)(2) of this section.

(C) Students who do not meet the graduation requirements through Step Two may repeat Step Two as necessary. School districts will only provide remediation for students while they are enrolled in public school.

(D) An alternate test may be used to meet the graduation requirements for one end-of-instruction exam. A student may take more than one alternate test to meet the graduation requirements.

(E) 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.

(F) School districts shall document a student's failure to complete test retake opportunities including written acknowledgement by the student's parent or guardian of the graduation requirements related to end-of-instruction tests.

(2) Demonstration of 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 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 exams.

(ii) End of Course Projects for Biology I must include the process standards as assessed through laboratory experiments.

(B) 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.

(C) End of Course Projects must be retained for a minimum of 5 years from completion.

(3) The Oklahoma State Board of Education has the authority to waive one or more of the requirements in (b)(1) of this section for an individual student if the Board determines that extenuating circumstances justify the waiver for an end of instruction exam.

(4) 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 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 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.

(5) Students who do not have an opportunity to take required end-of-instruction 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).

(6) 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.

(7) 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) Beginning with students entering the ninth grade in 2008-2009, 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 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." **(09)**

STUDENT ATTENDANCE

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 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

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 transcripted 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)**

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)**

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

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.

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

THE SCHOOL STAFF

ADJUNCT TEACHERS

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 recency 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

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)**

EVALUATION: MINIMUM CRITERIA FOR EFFECTIVE TEACHING AND ADMINISTRATIVE PERFORMANCE

210:20-3-4. Oklahoma minimum criteria for effective teaching performance

(a) **Practice**

(1) **Teacher management indicators**

Teacher management indicators are:

(A) Preparation--The teacher plans for delivery of the lesson relative to short-term and long-term objectives.

(B) Routine--The teacher uses minimum class time for noninstructional routines thus maximizing time on task.

(C) Discipline--The teacher clearly defines expected behavior (encourages positive behavior and controls negative behavior).

(D) Learning Environment--The teacher establishes rapport with students and provides a pleasant, safe and orderly climate conducive to learning.

(2) **Teacher instructional indicators**

Teacher instructional indicators are:

(A) Establishes Objectives--The teacher communicates the instructional objectives to students.

(B) Stresses Sequence--The teacher shows how the present topic is related to those topics that have been taught or that will be taught.

(C) Relates Objectives--The teacher relates subject topics to existing student experiences.

(D) Involves All Learners--The teacher uses signaled responses, questioning techniques and/or guided practices to involve all students.

(E) Explains Content--The teacher teaches the objectives through a variety of methods.

(F) Explains Directions--The teacher gives directions that are clearly stated and related to the learning objectives.

(G) Models--The teacher demonstrates the desired skills.

(H) Monitors--The teacher checks to determine if students are progressing toward stated objectives.

(I) Adjusts Based On Monitoring--The teacher changes instruction based on the results of monitoring.

(J) Guides Practice--The teacher requires all students to practice newly learned skills while under the direct supervision of the teacher.

(K) Provides for Independent Practice--The teacher requires students to practice newly learned skills without the direct supervision of the teacher.

(L) Establishes Closure--The teacher summarizes and fits into context what has been taught.

(b) **Products**

(1) **Teacher product indicators**

Teacher product indicators are:

(A) Lesson Plans--The teacher writes daily lesson plans designed to achieve the identified objectives.

(B) Student Files--The teacher maintains a written record of student progress.
(C) Grading Patterns--The teacher utilizes grading patterns that are fairly administered and based on identified criteria.

(2) **Student achievement indicators**
Student achievement indicators include: Students demonstrate mastery of the stated objectives through projects, daily assignments, performance and test scores.

210:20-3-5. Oklahoma minimum criteria for effective administrative performance

(a) **Practice**

(1) **Administrator management indicators.** Administrator management indicators are:
(A) Preparation--The administrator and staff develop goal statements which are the result of a needs assessment, a written analysis of student test scores and other data as well as community input.
(B) Routine--The administrator uses a minimum of instructional time for noninstructional routines thus maximizing time on task.
(C) Discipline--The administrator works with staff to develop and communicate defined standards of conduct which encourage positive and productive behavior.
(D) Learning Environment--The administrator establishes and maintains rapport with staff and students, providing a pleasant, safe and orderly climate for learning.

(2) **Instructional leadership indicators.** Instructional leadership indicators are:
(A) The administrator works with staff in collegial and nonthreatening ways to promote and improve instruction.
(B) The administrator sets high expectations for staff.
(C) The administrator provides needed resources for staff.
(D) The administrator works with staff to establish curriculum objectives, sequence and lesson objectives.
(E) The administrator works with staff to assure that all learners are involved in the learning process.
(F) The administrator assists the staff in monitoring student progress.
(G) The administrator works with the staff to develop a program to recognize academic achievement.
(H) The administrator educates the staff to recognize and display the teaching criteria upon which evaluation is conducted.
(I) The administrator observes in the classroom the performance criteria as defined by the district.
(J) The administrator summatively evaluates staff only after classroom observations are made, performance feedback is given, growth goals are set, and alternative methods are offered.

(b) **Products.** Administrator product indicators are:

(1) The administrator provides written discipline policies to which students are expected to perform.

(2) The administrator provides a written site improvement plan that supports the district's Comprehensive Local Education Plan describing school goals, objectives and professional development activities.
(3) The administrator provides a written analysis of student test scores and other data to assure that the various student populations are benefiting from the instructional program.

FIRST-YEAR SUPERINTENDENTS IN OKLAHOMA PROGRAM

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

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

The Oklahoma Commission for Teacher Preparation shall not accept any applications for the Education Leadership Oklahoma program, award scholarships pursuant to the Education Leadership Oklahoma Act or pay the National Board certification application fee for scholarship recipients after June 30, 2010, through June 30, 2012. [70 O.S. § 6 – 204.2] **(10)**

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)**

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)**

PROFESSIONAL STANDARDS:
TEACHER EDUCATION AND CERTIFICATION

For the fiscal years ending June 30, 2011 and June 30, 2012, the State Board of Education shall exempt all school districts from or waive any policy, rule or law which requires school districts to form, convene, or participate in any advisory council or committee. ***(10)***

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 Professional Standards 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-*Career*Tech provisional certificates**

Non-*Career*Tech 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) ***Career*Tech provisional certificates**

*Career*Tech 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)**

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) **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.

(d) **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.

(e) **Duplicate/update certificates**

A certificate/license may be duplicated or updated by submitting a written request and paying the fee.

(f) **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.

(g) **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.

(h) **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.

(i) **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.

(j) **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.

(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.

(k) **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.

(l) **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.

(m) **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. **(07)**

RESIDENCY PROGRAM

For the fiscal years ending June 30, 2011 and June 30, 2012, the State Board of Education shall exempt all school districts from or waive any policy, rule or law which requires school districts to form, convene, or participate in any advisory council or committee. ***(10)***

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 *Career*Tech 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 *Career*Tech 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. Supp. 1997 § 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. Supp. 1997 § 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.

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

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)**

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)**

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)**

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)**

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 O.S. § 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

210:1-5-8. Teacher due process hearings; hearing procedures; career and probationary teachers

(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. A list of all witnesses 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 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) 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) 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) 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) 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.
(5) The school board's decision regarding the dismissal or nonreemployment of a probationary teacher is final. **(04)**

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