

Section 12. School Day - Six Hours - Exceptions.

A. Except as otherwise provided for by law, a school day shall consist of not less than six (6) hours devoted to school activities. A district board of education may elect to extend the length of one (1) or more school days to more than six (6) hours and reduce the number of school days as long as the total amount of classroom instruction time is not less than one thousand eighty (1,080) hours per year as required pursuant to Section 1-109 of this title.

B. A school day for nursery, early childhood education, kindergarten, and alternative education programs shall be as otherwise defined by law or as defined by the State Board of Education. Not more than one (1) school day shall be counted for attendance purposes in any twenty-four-hour period.

C. Students absent from school in which they are regularly enrolled may be considered as being in attendance if the reason for such absence is to participate in scheduled school activities under the direction and supervision of a regular member of the faculty or to participate in an online course approved by the district board of education. The State Board of Education shall adopt rules to provide for the implementation of supplemental online courses which shall include, but not be limited to, provisions addressing the following:

1. Criteria for student admissions eligibility;
2. A student admission process administered through the district of residence, which provides the ability for the student to enroll in individual courses;
3. An electronic student transfer system which does not require the student desiring to transfer to another district for enrollment in an online course to personally appear in the district to which the transfer is sought;
4. A process by which students are not denied the opportunity to enroll in educationally appropriate courses by school districts;
5. Creation of a system which provides ongoing enrollment access for students throughout the school year;
6. A grace period of fifteen (15) calendar days from the first day of an online course for student withdrawal from an online course without academic penalty;
7. Mastery of competencies for course completion rather than Carnegie units;
8. Student participation in extracurricular activities in accordance with school district eligibility rules and policies and any rules and policies of a private organization or association which provides the coordination, supervision, and regulation of the interscholastic activities and contests of schools;
9. Parent authorization for release of state test results to online course providers, on a form developed by the State Department of Education;
10. A review process to identify and certify online course providers and a uniform payment processing system.

D. Each district board of education shall adopt policies and procedures that conform to rules for online courses as adopted by the State Board. Such policies shall include criteria for approval of the course, the appropriateness of the course for a particular student, authorization for full-time students to enroll in online courses, and establishing fees or charges. No district shall be liable for payment of any fees or charges for any online course for a student who has not complied with the district's policies and procedures. School districts shall not deny students the opportunity to enroll in educationally appropriate courses and shall provide an admissions process which includes input from the student, the parent or guardian of the student, and school faculty.

E. Districts shall require students enrolled in online courses to participate in the Oklahoma School Testing Program Act. Students participating in online courses from a remote site will be responsible for providing their own equipment and Internet access, unless the district chooses to provide the equipment. Credit may not be granted for such courses except upon approval of the State Board of Education and the district board of education.

F. The school day for kindergarten may consist of six (6) hours devoted to school activities. **(70-1-111)**

Note: Amended by SB 280, Sec. 1 of the 2011 Reg. Sess. Effective July 1, 2011.

A day devoted to parent-teacher conferences is counted as a school day even though pupils are not in attendance.
August 10, 1983 (AG Op. No. 83-152).

Section 31. Application and Filing of Four-Year Improvement Plans For Accreditation.

A. As part of the requirements for receiving accreditation by the State Board of Education, each school district board of education shall adopt a Comprehensive Local Education Plan once every six (6) years. The plan at a minimum shall contain the following:

1. A school improvement plan as provided for in Section 5-117.4 of this title;
2. A capital improvement plan as provided for in Section 18-153 of this title;
3. An alternative education plan, as provided for in subsection B of Section 1210.566 of this title; and
4. A reading sufficiency plan as provided for in Section 1210.508C of this title.

B. The State Board of Education shall promulgate rules for monitoring compliance with the provisions of this section by school districts. The State Department of Education shall provide training for regional accreditation officers in alternative education program compliance. **(70-3-104.2)**

Section 911. Alternative Education Programs.

A. Contingent upon the provision of appropriated funds designated for Alternative Education Academies pilot programs, the State Board of Education is authorized to award one or more competitive grants for alternative education programs to school districts, nonprofit organizations, or entities formed by interlocal cooperative agreements pursuant to Section 5-117b of this title. The grant awards shall be made to school districts located in counties with a high number of dropouts as reported by the Office of Accountability for the school year preceding the year for which the grant is being sought and a high number of referrals to the juvenile justice system or, if the grant award is to a nonprofit organization or entity formed by an interlocal cooperative agreement, the program to be funded shall serve students in school districts located in counties with a high number of dropouts and a high number of referrals to the juvenile justice system. Programs eligible for funding shall include but not be limited to programs provided:

1. Directly by a school district;
2. Pursuant to an interlocal cooperative agreement with another school district or districts or a technology center school district; or
3. Pursuant to contract with a nonprofit organization.

B. In order to be eligible for an Alternative Education Academy Grant, a program shall:

1. Allow class sizes and student/teacher ratios which are conducive to effective learning for at-risk students;
2. Incorporate appropriate structure, curriculum, and interaction and reinforcement strategies designed to provide effective instruction;
3. Include an intake and screening process to determine eligibility of students;
4. Demonstrate that teaching faculty are appropriately certified teachers;
5. Demonstrate that teaching faculty have been selected on the basis of a record of successful work with at-risk students or personal and educational factors that qualify them for work with at-risk students;
6. Reflect appropriate collaborative efforts with state agencies and local agencies serving youth;
7. Provide courses that meet the curricular standards adopted by the State Board of Education and remedial courses;
8. Offer individualized instruction;
9. State clear and measurable program goals and objectives;
10. Include counseling and social services components with the provision that providers of services are not required to be certified as school counselors;
11. Require a plan leading to graduation be developed for each child in the program;
12. Offer life skills instruction;
13. Provide opportunities for arts education to students, including Artists in Residence programs coordinated with the Oklahoma Arts Council;
14. Provide a proposed annual budget;
15. Include an evaluation component including an annual written self-evaluation; and
16. Be appropriately designed to serve middle school, junior high school and secondary school students in grades six through twelve who are most at risk of not completing a high school education for a reason other than that identified in Section 13-101 of this title.

C. Grant recipients shall have priority, if recommended by the Alternative Education Academy Grants Technical Assistance Center as provided for in subsection F of this section, and if funds are available, for annual renewal of grants by the State Board of Education in amounts and on conditions as provided in this section. If a district receives grants for an Alternative Education Academy program for three (3) consecutive school years and if the program upon evaluation by the Technical Assistance Center meets the criteria set forth in subsection B of this section, funding shall be as follows:

1. Funding for the fourth consecutive school year shall be in an amount of fifty percent (50%) of the average amount of grants awarded for the program pursuant to this section for the first three (3) consecutive school years;
2. Funding for the fifth consecutive school year shall be awarded only if the program has been state-validated and replicated by another district; if funding is awarded, it shall be in the amount of twenty-five percent (25%) of the average amount of grants awarded to the program pursuant to this section for the first three (3) consecutive school years;
3. All grants for the fourth and fifth school years as provided above shall be matched with local funds or in-kind contributions. Programs which received grants continuously for five (5) consecutive school years shall not thereafter be eligible for grants pursuant to this section.

D. School districts that receive Alternative Education Academy Grants shall not use the grant funds to supplant budgeted district expenditures for existing alternative education programs. Provided, programs that have been funded in prior years by Alternative Approaches grants pursuant to Section 1210.561 of this title may be funded through Alternative Education Academy Grants if included in the grant request and approved.

E. By September 15 of each school year, all revenue received and expended for students participating in alternative education academies created in subsection A of this section shall be reported to the State Department for Education by major object codes and by program classifications pursuant to the Oklahoma Cost Accounting System as adopted by the State Board of Education pursuant to Section 5-135 of this title.

F. Recipients of Alternative Education Academy Grants shall be subject to statutes and rules applicable to alternative education, including any exemptions from statutory or regulatory requirements authorized by statutes or rule.

G. 1. From funds appropriated for Alternative Education Academy Grants, the State Board of Education shall contract for technical assistance for operation of an Alternative Education Academy Grants Technical Assistance Center. The technical assistance provider shall be an entity located in Oklahoma that is officially recognized by the United States Department of Education to assess and facilitate dissemination of validated educational programs in Oklahoma. The technical assistance provider shall have priority, if its operations are deemed satisfactory by the State Board of Education and if funds are available, for annual renewal of the contract.

2. The duties of the technical assistance provider shall include, but shall not be limited to:

- a. recommending programs to the State Board of Education for Alternative Education Academy Grants,
- b. providing initial and ongoing training of personnel who will educate at-risk populations through programs funded pursuant to this section,
- c. providing technical assistance to districts identified by the State Department of Education as eligible for initial grants pursuant to subsection A of this section,
- d. providing technical assistance to grant recipients to enhance probability of success of grant-funded programs,
- e. evaluating grant-funded programs for possible state validation as defined in Section 1210.561 of this title,
- f. reporting to the State Board of Education the name and description of any program which receives state validation, and
- g. providing in-depth program analysis and evaluation of grant-funded programs to the State Board of Education and the Legislature no later than November 1 following the end of the school year in which one or more grant-funded programs were implemented.

H. The State Board of Education shall promulgate rules as necessary to administer the Alternative Education Academy Grants and the process by which the grant funding shall be allocated.

I. Any school district which does not participate in the Alternative Education Academy Grants created in this section may provide an alternative education program pursuant to the provisions of this section. **(70-1210.563)**

Section 912. Alternative Education Academy Grants.

No later than August 1, 1994, the State Department of Education shall identify eight school districts eligible to receive Alternative Education Academy Grants based on the criteria set out in subsection A of Section 62 of this act. The Department shall notify the eligible districts and require the districts to submit plans for Alternative Education Academy programs no later than November 1, 1994. The initial programs shall be implemented no later than the beginning of the second semester of the 1994-95 school year. The technical assistance provider shall provide assistance to the identified districts in assessing needs and designing programs. Two or more of the identified districts may submit one program plan if the plan will serve students in the cooperating districts. Identified districts that do not submit plans for and implement effective programs as determined by the technical assistance provider shall be penalized in an amount equal to five percent (5%) of the amount of State Aid the district received for the 1994-95 school year. The penalty shall be enforced by reducing State Aid to the district during the following school year. The State Board of Education shall promulgate rules establishing an appeal process to the Board for districts which have been assessed a penalty. **(70-1210.564)**

Section 913. Alternative Education Pay Incentives - School Counselor Certificates Not Required.

A. A certified teacher in a program funded by an Alternative Education Academy Grant shall be paid a five percent (5%) increment above the designated step for that teacher within the adopted salary schedule of the district.

B. Persons providing counseling or social services in a program funded by an Alternative Education Academy Grant shall not be required to be certified as school counselors by the State Board of Education. **(70-1210.565)**

Section 914. Implementation Requirements for State Board of Education and Local District.

A. Each year by December 1, every school district that serves middle school, junior high and secondary school

students shall conduct and report to the State Department of Education a needs assessment to identify those students in grades six through twelve who are most at risk of not completing a high school education for a reason other than that identified in Section 13-101 of this title, including students under the age of nineteen (19) who reside in the district and have dropped out of school or are or have been suspended from school. Districts shall utilize data and information from juvenile justice agencies and the Office of Accountability in conducting the needs assessments. The results of the needs assessments shall be reported to the State Department of Education in a format specified by the Department.

B. By May 1, 1994, every school district as specified in subsection A of this section shall develop and submit to the State Department of Education a proposed plan approved by the district board of education, for meeting the needs of the students at risk of not completing a high school education as identified through the needs assessment required in subsection B of this section by establishing, continuing or expanding alternative education programs. The district shall include parents, students, teachers, law enforcement representatives, judicial system representatives, social service representatives, technology center school district representatives, and others deemed appropriate by the board of education in the development of the proposed plan. If the school district overlaps technology center school district or districts, the plan shall be coordinated with the board of education of each overlapped technology center school district.

C. The proposed plan shall be placed on file at the office of the school district superintendent where it shall be made available to the public on request.

D. By September 1, 1994, the State Board of Education shall prepare and submit to the Legislature and the Governor a proposed statewide plan, including a statement of needed funding, for the provision of alternative education to students in grades six through twelve who have been identified by school districts in their needs assessments as being at risk of not completing a high school education for a reason other than that identified in Section 13-101 of Title 70 of the Oklahoma Statutes. The plan should include provisions for cooperative agreements to provide services for students in alternative education programs and coordination with the State Board of Vocational and Technical Education. **(70-1210.566)**

Section 915. Alternative Education Programs - Statewide System.

A. Beginning with the first semester of the 1996-1997 school year, the State Board of Education shall implement a statewide system of alternative education programs which shall be phased-in within seven (7) years. The statewide system shall include but not be limited to Alternative Approaches grant programs, funded pursuant to Section 1210.561 of this title, and alternative academies or alternative programs implemented pursuant to this section.

B. Beginning with the first semester of the 2002-2003 school year, all school districts of this state shall provide alternative education programs that conform to the requirements of statutes and rules applicable to alternative education. A program shall:

1. Allow class sizes and student/teacher ratios which are conducive to effective learning for at-risk students;
2. Incorporate appropriate structure, curriculum, and interaction and reinforcement strategies designed to provide effective instruction;
3. Include an intake and screening process to determine eligibility of students;
4. Demonstrate that teaching faculty are appropriately licensed or certified teachers;
5. Demonstrate that teaching faculty have been selected on the basis of a record of successful work with at-risk students or personal and educational factors that qualify them for work with at-risk students;
6. Reflect appropriate collaborative efforts with state agencies and local agencies serving youth;
7. Provide courses that meet the academic curricula standards adopted by the State Board of Education and additional remedial courses;
8. Offer individualized instruction;
9. State clear and measurable program goals and objectives;
10. Include counseling and social services components with the provision that providers of services are not required to be certified as school counselors;
11. Require a plan leading to graduation be developed for each student in the program which will allow the student to participate in graduation exercises for the school district after meeting the requirements of the school district as specified in the individual graduation plan for that student; provided, for students who enter the ninth grade in or prior to the 2007-08 school year, the plan shall specifically address whether the student is required to meet the graduation requirements established in Section 11-103.6 of this title;
12. Offer life skills instruction;
13. Provide opportunities for arts education to students, including Artists in Residence programs coordinated with the Oklahoma Arts Council;
14. Provide a proposed annual budget;
15. Include an evaluation component including an annual written self-evaluation;
16. Be appropriately designed to serve middle school, junior high school and secondary school students in grades six through twelve who are most at risk of not completing a high school education for a reason other than that identified in Section 13-101 of this title; and

17. Allow students in the alternative education program, who otherwise meet all of the participation requirements, to participate in vocational programs and extracurricular activities, including but not limited to athletics, band, and clubs.

C. The alternative education program of a school district shall be operational and serving students by September 15 of each school year.

D. Each alternative education program of a school district shall receive funding based on the combined number of dropouts and students within the district who have been referred to a county juvenile service unit, a county juvenile bureau or who have been committed to the custody of the Office of Juvenile Affairs. Each alternative education program shall receive incentive funding as follows:

1. For the first year of operation, One Thousand Dollars (\$1,000.00) per student;
2. For the second year of operation, Seven Hundred Fifty Dollars (\$750.00) per student; and
3. For the third year of operation and each year thereafter, Seven Hundred Dollars (\$700.00) per student.

Statewide alternative education funding shall not be used to supplant existing school district resources or to support programs that do not meet all the criteria for the statewide alternative education system. No alternative education program shall receive less than a total of Ten Thousand Dollars (\$10,000.00) per school year.

E. By September 15 of each school year, all statewide alternative education funds received and expended for students participating in an alternative education program shall be reported to the State Department of Education by major object codes and by program classifications pursuant to the Oklahoma Cost Accounting System as adopted by the State Board of Education pursuant to Section 5-135 of this title.

F. Elementary school districts, as defined in Section 5-103 of this title, may request a waiver from the State Board of Education from the requirements of this section to implement and provide an alternative education program. Any elementary school district that has not received funding pursuant to the provisions of subsection D of this section shall be automatically granted a waiver. If a school district is granted a waiver, no statewide alternative education funding shall be allocated to the district.

G. 1. The State Board of Education shall contract for technical assistance for operation of an Alternative Education Technical Assistance Center. The technical assistance provider shall be an entity located in Oklahoma that has been officially recognized by the United States Department of Education to assess and facilitate dissemination of validated educational programs in Oklahoma. The technical assistance provider shall have priority, if its operations are deemed satisfactory by the State Board of Education and if funds are available, for annual renewal of the contract.

2. The duties of the technical assistance provider shall include, but shall not be limited to:

- a. providing initial and ongoing training of personnel who will educate at-risk populations through alternative education programs,
- b. providing technical assistance to school districts to enhance the probability of success of their alternative education programs,
- c. evaluating state-funded alternative education programs,
- d. reporting to the State Board of Education the evaluation results of state-funded alternative education programs, and
- e. providing in-depth program analysis and evaluation of state-funded alternative education programs.

3. The State Board of Education shall not provide funding to an alternative education program that does not receive a recommendation for continued funding in the evaluation provided for in this subsection. Provided, any school district not receiving such a recommendation for continued funding may request a hearing before the Board with a review of the evaluation prior to the Board's final determination.

H. All alternative education programs shall be subject to statutes and rules applicable to alternative education, including any exemptions from statutory or regulatory requirements authorized by statutes or rule.

I. An alternative education program may be offered by an individual school district or may be offered jointly by school districts that have formed interlocal cooperative agreements pursuant to Section 5-117b of this title. Any school district submitting a plan for an alternative education program serving fewer than ten students shall enter into a cooperative agreement with another school district to jointly provide the program unless the program has been granted a waiver from this requirement by the State Board of Education.

J. Any materials or equipment purchased by a school district with revenue received for students participating in an alternative education program shall be used only in or directly for the alternative education program offered by

the district or any subsequent alternative education program offered to students enrolled in that district. Such materials and equipment shall be made available exclusively to alternative education students during the hours that the alternative education program is operating; provided, the material or equipment may be used for other purposes when the alternative education program is not operating.

K. Upon implementation of this subsection as provided for in subsection M of this section and contingent upon the provision of appropriated funds designated for such purpose, all school districts in the state providing alternative education programs as required in subsection B of this section shall expand the programs to include middle-schoolgrade students. The program shall conform to the requirements of subsection B of this section.

L. Upon implementation of this subsection as provided for in subsection M of this section and contingent upon

the provision of appropriated funds designated for such purpose, each urban school district identified by the State Department of Education as having a high population of elementary grade students who are at-risk and in need of alternative education shall provide elementary level alternative education programs. The State Department of Education shall establish requirements for the programs. For purposes of this section, "urban school district" means a school district with an average daily membership of thirty thousand (30,000) or more.

M. Implementation of subsections K and L of this section shall be delayed until the current expenditure per pupil in average daily attendance in public elementary and secondary schools in unadjusted dollars for the 1998-99 school year or any school year thereafter for Oklahoma, as reported by the National Center for Education Statistics annually in the Digest of Education Statistics, reaches at least ninety percent (90%) of the regional average expenditure for that same year, and funds are provided. For purposes of this subsection, the regional average expenditure shall consist of the current expenditure per pupil in average daily attendance in public elementary and secondary schools in unadjusted dollars for each of the following states: Arkansas, Colorado, Kansas, Missouri, New Mexico, Oklahoma, and Texas, averaged together. By January 1 of each year, the State Board of Education shall report whether or not the ninety-percent expenditure level has been reached based on information reported annually in the Digest of Education Statistics by the National Center for Education Statistics. Subsections K and L of this section shall be implemented on July 1 after the first January 1 report verifies that the ninety-percent expenditure level has been reached and funds have been provided for the specific purposes of this section. **(70-1210.568)**

Section 916. Submission of Student Needs Assessment and Alternative Education Plan.

A. Each school district shall be required to update and submit on an annual basis the student needs assessment and alternative education plan outlined in Section 1210.566 of this title. The alternative education plan of each school district shall provide for specific professional development programs for the teachers teaching in or working with an alternative education program. The annual needs assessment data shall be incorporated by the State Board of Education into an annual report which shall be submitted to the Speaker of the House of Representatives, the President Pro Tempore of the Senate and the Governor. The report shall include a listing by school district of the number of students funded and the reported number of students served in an alternative education program.

B. By July 1 of each year, each school district shall submit an expenditure report to the State Department of Education listing all of the expenditures made by the school district for the alternative education program for the previous year.

C. Upon implementation of this subsection as provided for in subsections D and E of this section, each urban school district as defined in Section 1210.568 of this title and as identified by the State Department of Education as having a high population of elementary grade students who are at-risk and in need of alternative education shall expand the annual student needs assessment and alternative education plan as required in subsection A of this section to include a needs assessment and education plan for elementary students who are at-risk and in need of alternative education.

D. Implementation of subsection C of this section shall be contingent upon the appropriation by the Legislature of state funds for the specific purpose of implementing subsection C of this section. Nothing in this section shall prevent the State Board of Education or a school district board of education from utilizing private, local, or federal funds to implement subsection C of this section.

E. Implementation of subsection C of this section shall be delayed until the current expenditure per pupil in average daily attendance in public elementary and secondary schools in unadjusted dollars for the 1998-99 school year

or any school year thereafter for Oklahoma, as reported by the National Center for Education Statistics annually in the Digest of Education Statistics, reaches at least ninety percent (90%) of the regional average expenditure for that same year, and funds are provided. For purposes of this subsection, the regional average expenditure shall consist of the current expenditure per pupil in average daily attendance in public elementary and secondary schools in unadjusted dollars for each of the following states: Arkansas, Colorado, Kansas, Missouri, New Mexico, Oklahoma, and Texas, averaged together. By January 1 of each year, the State Board of Education shall report whether or not the ninetypercent expenditure level has been reached based on information reported annually in the Digest of Education Statistics by the National Center for Education Statistics. Subsection C of this section shall be implemented on July 1 after the first January 1 report verifies that the ninety-percent expenditure level has been reached and funds have been provided for the specific purposes of the section. **(70-1210.569)**

Section 917. Abbreviated School Day and Certification Requirements for Alternative Schools.

A. Upon application of a district board of education, the State Board of Education shall authorize an abbreviated day schedule for an alternative school or alternative education program that is or will be administered by the district pursuant to the provisions of this act or for the education provided for students in a residential or treatment

facility located within the district. A student assigned to the alternative school, an alternative education program or receiving educational services in a residential or treatment facility within the district who attends for a full abbreviated day shall be counted in attendance for purposes of computing average daily attendance and average daily membership for the district.

B. A district board of education may authorize enrollment on a part-time basis utilizing Internet-based courses for students who have dropped out of school or are or have been suspended from school. State Aid shall be calculated for such students based upon the percentage of the total school day in which the student is enrolled multiplied by the appropriate grade level weight pursuant to Section 18-201.1 of this title, provided such student was enrolled at any time in a public school in this state during the previous three (3) school years.

C. A district board of education shall hire only licensed or certified teachers to teach in an alternative education program or alternative education school offered by the district or to teach students who are in a residential or treatment facility.

D. No later than August 1, 1994, the State Board of Education in consultation with the Oklahoma Commission for Teacher Preparation shall promulgate rules by which a certified teacher who is qualified to teach in an alternative education program or alternative school as determined by the district board of education offering the alternative education program or alternative school or who teaches students in a residential or treatment facility may be certified to teach subjects in which the teacher does not hold certification. The rules shall provide:

1. The certification may be granted only upon application of a district board of education offering an alternative education program or alternative school pursuant to the provisions of this act or upon application of a district board of education offering a residential or treatment facility; and

2. The teacher's certification in subjects in which the teacher does not otherwise hold certification pursuant to the provisions of this section shall be valid only for purposes of teaching in the alternative education program or alternative school offered by the district board or in a residential or treatment facility located within the district making application. (70-1210.567)

Section 918. Alternative Approaches Grants.

A. Contingent upon the provision of appropriated funds designated for Alternative Approaches grants, the State Board of Education is authorized to award one or more such competitive grants to local education agencies, nonprofit organizations, or entities formed by interlocal cooperative agreements pursuant to Section 5-117b of this title. The grant awards shall be made to school districts located in counties with a high number of dropouts for the school year preceding the year for which the grant is being sought, and a high number of referrals to the juvenile justice system. If the grant award is to a nonprofit organization or entity formed by an interlocal cooperative agreement, the program shall serve students in school districts located in counties with a high number of dropouts and a high number of referrals to the juvenile justice system. The funds shall be awarded to programs specifically providing targeted services to high challenge children. High challenge children are those at risk of failing to complete a satisfactory education. Alternative

Approaches grants shall include high challenge grants for programs serving elementary and middle grade students and grants for middle grade level and other specified alternative education programs. Competitive grants shall be of statewide significance and shall be replicable across the state. Beginning July 1, 1993, at least twenty percent (20%) of the total dollar amount of Alternative Approaches grants shall be awarded to districts replicating state-validated programs. State validation is a process carried out by the Alternative Approaches Programs Technical Assistance Center by which grant-funded programs are evaluated for effectiveness in reaching the targeted population, local and state significance, and replicability. The Technical Assistance Center shall report to the State Department of Education the name and description of any program which receives state validation.

B. To be eligible for a High Challenge grant, a program shall meet research-based criteria set by the State Department of Education. The Alternative Approaches Technical Assistance Center shall provide the Department with research and recommendations on effective programming for high challenge children.

C. The State Board of Education is further authorized to award one competitive grant for operation of an Alternative Approaches Programs Technical Assistance Center. Said programs shall not supplant programs or activities funded by the United States Government pursuant to Chapter 1 of Title I of the Elementary and Secondary Education Act of 1965, as amended. The Alternative Approaches Technical Assistance Center grant recipient shall have priority, if its operations are deemed satisfactory by the State Board of Education and if funds are available, for annual renewal of the grant.

D. Service program grant recipients shall have priority, if recommended by the Technical Assistance Center and if funds are available, for annual renewal of grants by the State Board of Education in amounts and on conditions as provided in this section. If a district has received grants for an at risk or high challenge program for three consecutive school years and if the program upon evaluation by the Technical Assistance Center meets the criteria set forth in subsection A of this section and satisfies criteria set forth in rules adopted by the State Board of Education pursuant to subsection E of this section, funding shall be as follows:

1. Funding for the fourth consecutive school year shall be in the amount of fifty percent (50%) of the average amount of grants awarded for the program pursuant to this section for the first three (3) consecutive school years; and
2. Except as otherwise provided, funding for the fifth consecutive school year shall be awarded only if the program has been state-validated and replicated by another district; for programs that have received funding for three (3) years prior to July 1, 1992, funding will be awarded only if the program is state-validated and the grantee documents attempts to have the program replicated; if funding is awarded, it shall be in the amount of twenty-five percent (25%) of the average amount of grants awarded to the program pursuant to this section for the first three (3) consecutive school years.

All grants for the fourth and fifth school years as provided above shall be matched with local funds or in-kind contributions. Programs which received grants continuously for five (5) consecutive school years shall not thereafter be eligible for grants pursuant to this section.

E. Rules adopted by the State Board of Education shall incorporate or provide for, but not necessarily be limited to:

1. Definition of the children deemed high challenge for whom services are sought; provided the definition shall be consistent with the description of high challenge children set forth in subsection A of this section;
2. The possibility of awards for one or more of a variety of program proposals targeted for services to limited portions of the high challenge population according to such distinctions as age groupings, rural or urban settings, other cultural characteristics, or innovative service delivery strategies;
3. Requirements that service program grant recipients have clear and measurable goals and objectives; show evidence of having given reasonable consideration to coordination with other community agencies and resources, where appropriate, in the development of their proposals; and agree to comply with all requirements of the Technical Assistance Center regarding use of assessment instruments, provision of data, and provision of information necessary for program evaluation;
4. Requirements that the recipient of the Technical Assistance Center grant show command of relevant research and demonstrate capability for: Providing technical assistance, including operation of clearinghouse functions; coordinating with agencies such as the Oklahoma Arts Council; performing assessment of high challenge children; evaluating programs for effectiveness; making program cost assessments; promoting replication of successful programs; and capability for assisting program providers in attaining national validation of their programs and qualifying for federal funding;
5. Utilization of a selection committee to review applications for program and Technical Assistance Center grants and make recommendations to the State Board of Education, said selection committee to include, to the greatest extent feasible under constraints of time and funding, nationally recognized experts in the education of high challenge children ;and
6. Revocation of any high challenge or at risk grant awarded to, and ineligibility for award of any future high challenge grant pursuant to this act to, any grant recipient who has employed prior to May 24, 1991, any person who served as a volunteer assisting with the initial preparation of proposed rules for high challenge (formerly designated as at risk) grant programs or any person serving as a member of a selection committee during or within two (2) years following such person's service pursuant to paragraph 5 of this subsection. **(70-1210.561)**

Section 919. Criteria for Alternative Education Grants.

Alternative Approaches grants for alternative education shall be limited to middle grade level alternative schools provided by a school district and to secondary grade level programs provided pursuant to a contract with a nonprofit organization. Notwithstanding self-identification of a program as an alternative education program, a program shall not receive state-funded grants to provide alternative education administered through the State Department of Education unless the program meets the criteria for Statewide Alternative Education programs as specified in Section 1210.568 of this title. **(70-1210.562)**