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STATE SUPERINTENDENT *of* PUBLIC INSTRUCTION
OKLAHOMA STATE DEPARTMENT *of* EDUCATION

MEMORANDUM

TO: State Board of Education Members
FROM: Carolyn Thompson, Director of Government Affairs
DATE: June 18, 2015
SUBJECT: Legislative Update

The Oklahoma State Legislature has officially adjourned Sine Die as of May 22, 2015. The following are a list of the most significant bills passed and have been signed into law affecting education. Aside from the few bills that went into effect upon the Governor's signature, a majority of bills will either go into effect July 1, 2015, August 20, 2015 (90 days after Sine Die), or November 1, 2015.

The State Department of Education is working diligently to analyze the the impact of each bill listed, and over the coming months, will be bringing these back to the attention of the board for a variety of actions, including updates, reports and proposed rules.

Curriculum and Assessments

Curriculum

- [HB 1330](#) Rep A Coody, Sen Fry: Requires the [State Board of Education \(SBOE\) to promulgate rules](#) requiring school district boards of education to waive the Oklahoma history high school graduation requirements for military children who have transitioned from another state and already completed a similar state history class in another state. EFFECTIVE 7/1.
 - Status: Signed by Gov 4/13
- [HB 1331](#) Rep A Coody, Sen Fry: Defines the term "military student identifier" and permits student data for those with a military student identifier to be transferred to any federal, state or local agency or other organization/entity outside of the state for purposes of assisting the Department of Defense in developing policy and military child education initiatives. Identifier required to be included in student data system by July 1, 2016. EFFECTIVE 7/1.
 - Status: Signed by Gov 4/13

- [**HB 1423**](#) Rep McPeak, Sen Marlatt: Eliminates the requirement that school districts shall provide transportation for ALL CareerTech agriculture education and FFA program related duties and activities. EFFECTIVE 7/1
 - Status: Signed by Gov 4/21
- [**SB 50**](#) Sen Smalley, Rep Biggs: Changes language that limited agriculture education to grades 8-12, to read that ag ed programs are designed for junior high and high school grades 8-12. In effect this would allow schools the ability to do offer ag ed programs in other grades if desired. EFFECTIVE 7/1
 - Status: Signed by Gov 4/7

Special Education/ELL

- [**HB 1268**](#) Rep Casey, Sen Ford: Allows for flexibility in meeting the requirements of personal financial literacy for those 1% MSCD students on an IEP to allow for them to receive substantive and substantial instruction in life skills, and meet the requirements of their IEP in order to satisfy the requirements. Additionally, requires SDE to provide resources, including on-line modules, and materials designed to enable students identified as English language learners to understand and use the personal financial literacy information presented. Finally, it states that school districts are encouraged to assign the responsibilities of personal financial literacy to only one teacher on a continual basis. EFFECTIVE 7/1
 - Status: Signed by Gov 5/1
- [**HB 1693**](#) Rep Calvey, Sen Loveless: Amends the tax credits allowable for contributions to an eligible scholarship-granting organization or educational improvement grant organization under the Oklahoma Equal Opportunity Education Scholarship Act. Allows for any taxpayer who makes a written commitment to contribute the same amount for an additional year, to receive a tax credit of 75% of the amount donated. Expands eligibility to receive the scholarships to children who have received services through SoonerStart, and children who have been diagnosed with a significant learning disability. EFFECTIVE 1/1/2016
 - Status: Signed by Gov 6/3
- [**SB 162**](#) Sen Halligan, Rep Denney: [**Directs SBOE to promulgate rules**](#) to provide exemptions from state testing for students with MSCD (Most Significant Cognitive Disabilities - those students under the 1% cap). EFFECTIVE 7/1
 - Status: Signed by Gov 4/28
- [**SB 285**](#) Sen Ford, Rep Coody: Changes the name of Oklahoma Parents as Teachers to program of parent education. Requires early childhood standards to be aligned with new standards. EFFECTIVE 11/1
 - Status: Signed by Gov 5/1

RSA

- [**SB 630**](#) Sen Ford, Rep Casey: Clarifies that screening instruments are to be administered to all students k-3rd grade at the beginning and end of each school year. Requires that any student in 1st or 2nd grade not reading at the corresponding grade level be entitled to individualized remediation. Requires that a Student Reading Proficiency Team (SRPT) develop a plan for such remediation. Teams shall include parent or guardian, current teacher, future teacher and reading specialist. Clarifies that any 1st, 2nd or 3rd grade student who is reading at the 3rd grade level be exempt from retention under the Reading Sufficiency Act (RSA). For 2016-2017 and 2017-2018, any 3rd grade student who has not already been exempt from the requirements of RSA, and who scores below proficient on the OCCT, shall be evaluated for “probationary promotion” by a SRPT. Removes the principal from the SRPT, but requires the principal and the superintendent approve the recommendation of the SRPT. Requires that only the reading comprehension and vocabulary portions of the OCCT be used for determination of retention or promotion under RSA. Requires the parent of any student reading below grade level be notified of the grade-level performance of that student. EFFECTIVE 7/1

- Status: Signed by Gov 6/3

Teachers and Schools

TLE

- [**SB 706**](#) Sen Ford, Rep Casey: Delays full implementation of TLE for one year, until the 2017-2018 school year. Additionally, the bill directs that each teacher and administrator receive both a qualitative and quantitative score, with no composite score, and that employment decisions will be based on both components. Eliminates “other academic measurements” as a requirement for the quantitative piece. [Directs the State Board of Education](#) to adopt reliable, research-based options for local boards of education to choose from for teachers in non-tested subjects and requires the TLE Commission to make recommendations to the State Board by Dec 1, 2015, and the board to approve the list by Feb 1, 2016. Finally, it [directs continued study by the State Board of Education, in consultation with the Commission, to produce a system that promotes reflection and professional growth](#). EFFECTIVE 7/1

- Status: Signed by Gov 6/3

Teachers/Employees

- [**HB 1154**](#) Rep Montgomery, Sen Barrington: Exempts any law enforcement officer, defined as peace or police officer who is CLEET certified, and is employed by a law enforcement agency at the time of hiring, from background checks at the time of application for employment at a school district. EFFECTIVE 11/1.
- Status: Signed by Gov 4/7
- [**HB 1521**](#) Rep Henke, Sen Smalley: Excludes from the meaning of “compensation” (meaning excludes from collective bargaining) one-time incentive pay provided to a teacher or one-time retention incentive pay for returning a second year. EFFECTIVE 11/1.

- Status: Signed by Gov 4/13
- [HB 2014](#) Rep Coody, Sen Barrington: Allows a school district to adopt a policy to designate and authorize certain school personnel to carry a handgun onto school property. Those personnel must possess a valid armed security guard license or reserve peace officer certification. Districts can authorize personnel to attend such training. EFFECTIVE IMMEDIATELY.
 - Status: Signed by Gov 5/12
- [SB 5](#) Sen Sharp, Rep Cockcroft: Exempts education employees from liability for the use of necessary and reasonable force to control and discipline a student during school, at a school function, or in transit. EFFECTIVE 90 days after Sine Die
 - Status: Signed by Gov 4/21
- [SB 711](#) Sen Sparks, Rep Denney: The bills states that districts shall forward a copy of any recommendation for termination or non-reemployment of a teacher that was based on grounds that could form the basis of criminal charges for sexual abuse or exploitation, and releases them from liability for doing so. The recommendation shall be forwarded after due process procedures are completed or after the teacher resigns. The recommendation must also be forwarded the teacher. Only school districts who are considering employment of that teacher may request a copy of the recommendation. If such request is made then notice of that request also shall be sent to the teacher. Records will be exempt from Open Records Act; however, if a subpoena is served for requesting the documents, the teacher must be immediately notified. EFFECTIVE 7/1
 - Status: Signed by Gov 6/3

Schools/Professional Development

- [HB 1150](#) Rep Grau, Sen Griffin: removes “private treatment facility” from the list of mental health facilities that cannot be located within 1000 feet of a school. EFFECTIVE 7/1
 - Status: Signed by Gov 5/18
- [HB 1460](#) Rep Wallace, Sen Dahm: Adds knives to the list of state preemption statute for firearms. Allows a public or private school to create a policy to regulate the possession of knives on school property or in any school bus or vehicle used by the school for purposes of transportation. EFFECTIVE 11/1
 - Status: Signed by Gov 5/4
- [HB 1684](#) Rep Denney, Sen Griffin: Adds school counselors or licensed mental health providers to the list of those on professional development committees. Requires professional development each year on training and recognition of child abuse and neglect, recognition of child sexual abuse, proper reporting of suspected abuse, and available resources. States that the Safe School Committee may study and make recommendations to the school districts regarding development of a rape or sexual assault response program to be implemented at the school site. [Directs SBOE, OK](#)

Commission on Children and Youth and State Board of Health to promulgate rules.

EFFECTIVE 11/1

- Status: Signed by Gov 5/4
- [HB 1685](#) Rep Denney, Sen Halligan: 24/7 Tobacco Free Schools Act - prohibits all tobacco products from use in facilities offering educational programs early childhood through grade 12, technology facilities, and colleges and universities. EFFECTIVE 90 days after Sine Die
 - Status: Signed by Gov 5/6
- [HB 1691](#) Rep Denney, Sen Jolley: Allows a board of education in a county with over 500,000 and ADM of 30,000 to contract for educational and administrative services. Those services could include instructional services. Allows those contracts to be exempt from the statutes and rules that charters are exempt from. State that for the purposes of attendance, funding and accountability, student receiving contracted services remain students of the school district. EFFECTIVE 7/1
 - Status: Signed by Gov 4/24
- [HB 1749](#) Rep Newell, Sen Dahm: Prohibits a state agency to make payroll deductions on behalf of a state employee for membership dues in any organization that collectively bargains on behalf of its members. EFFECTIVE 11/1
 - Status: Signed by Gov 4/2
- [HB 2069](#) Rep Nelson, Sen Griffin: Allows for the parent of a foster child to choose their district of residency as either their current district, their previous district, or the district they attended before going into foster care for school purposes. These children may also transfer more than once in any school year. Additionally, allows any facility where a child has been admitted and is receiving on-site educational services to serve as the legal residence for that child. On-site educational services includes partial hospitalization programs, day treatment programs and day hospital programs mean nonresidential settings in which school-age children are placed for psychiatric or psychological treatment which precludes their attendance at a regular public school. EFFECTIVE 7/1
 - Status: Signed by Gov 6/3
- [HB 2157](#) Rep Echols, Sen Griffin: “Family Support Accountability Act” allows agencies with “home-visiting services” to promulgate rules for operation. Requires the departments to provide a framework for service delivery and accountability to promote continuum of care for those families at greatest risk. Requires such departments to work together for the maximum benefit to families. Sets goals for what the programs should achieve. While this legislation is not directed at the State Department of Education (SDE), it will affect the Oklahoma Parents as Teachers program. Will require SBOE to promulgate rules. EFFECTIVE 11/1
 - Status: Signed by Gov 4/28

- [**SB 136**](#) Sen Stanislawski, Rep Nelson: Requires the Statewide Virtual Charter School Board (SVCSB) review, certify and publish a list of supplemental online course that are aligned with the new state standards. Reference is to be given to courses in science, technology, engineering and math, foreign language and advanced placement courses. Does not limit school districts to choose from that list. Directs the SVCSB to work with OMES to negotiate and enter contracts with those providers to offer a state rate price to school districts. EFFECTIVE 90 days after Sine Die
 - Status: Signed by Gov 5/12
- [**SB 239**](#) Sen Yen, Rep Cox: Chase Morris Sudden Cardiac Arrest Prevention ACT – SDE and Dept of Health shall jointly develop and post on their website guidelines and other materials to inform students, parents and coaches participating in an athletic activity about the risks and signs of sudden cardiac arrest. Requires all students participating to sign acknowledgement of receipt of the symptoms each year. Allows schools to hold an informational meeting prior to start of season. A student who collapses or faints shall be removed from the activity and not return until evaluated and cleared. Coaches shall complete training each year. EFFECTIVE 7/1
 - Status: Signed by Gov 5/6
- [**SB 262**](#) Sen Paddack, Rep Thomsen: Directs SDE, in collaboration with the Department of Labor (DOL), to make information regarding workplace safety training available to school districts for grades 7-12, and suggests using a current program offered by the DOL. Directs SDE to encourage districts to inform grade 7-12 teachers about the importance of including workplace safety training in their curriculum. [**Directs SBOE to promulgate rules.**](#) EFFECTIVE 90 days after Sine Die.
 - Status: Signed by Gov 4/1
- [**SB 312**](#) Sen Holt, Rep Echols: Modifies the dates when a county election board can hold elections to the second Tuesday of February, the first Tuesday of April, the second Tuesday of September in an odd-numbered year, the second Tuesday of November in an odd-numbered year, or the date of any regularly scheduled statewide or federal election in an even-numbered year. EFFECTIVE 1/1/2016
 - Status: Signed by Gov 6/4

Charters

- [**HB 1034**](#) Rep Kirby, Sen Loveless: Allows for Native American tribes to sponsor a charter school in their former reservation or treaty area boundaries. ****NOTE:** Does not involve the locally elected school board, but would have to meet all of the criteria for application set forth in SB 782. EFFECTIVE 11/1
 - Status: Signed by Gov 5/1
- [**SB 782**](#) Sen Jolley, Rep Denney: Allows any school district to sponsor a charter school within its boundaries. If an applicant is denied by the local district, they can appeal to the state board, and the state board can sponsor up to 5 charters per year outside of counties with

population of 500,000 or fewer, and not more than one per district. Requires districts to prioritize charters who demonstrate academic success through various means. The grounds for objection by the district must be outweighed by the greater evidence and strength of the applicant. Increases the requirements of the application to 35 different measures, including funding plans, plans for treatment of various groups of students, organization chart, etc. Gives additional powers to the sponsor including revoking the charter. Requires the board members to be residents of the state and meet quarterly. Requires a performance framework and report. If a charter regularly is in the bottom 5% rankings of all public schools, the sponsor is to consider closing the school and if they do not close the school, they must present their reasoning to the state board. While SBOE is not specifically directed to promulgate rules, it will likely be necessary for proper implementation in some areas. EFFECTIVE 90 days after Sine Die.

- Status: Signed by Gov 4/24

Teacher Certification

- **SB 20** Sen Sharp, Rep Henke: Allows board to issue a certificate to a person who holds a valid out of state certificate. It allows them to only teach in those subjects/grades that are most closely aligned with their certificate. If a teacher has had 5 years of successful teaching in an accredited school, they do not have to take the examination in those subjects/grades. Requires them to have a background check from OSBI and national criminal history record check on file. Upon receipt of the background checks, the board may issue a temporary certificate until fingerprinting can be done. Person applying is responsible for the criminal history check. EFFECTIVE 7/1

- Status: Signed by Gov 4/21

- **SB 29** Sen Brecheen, Rep Denney: Requires the State Department of Education to notify, via mail, any individual who held any license or certificate issued by the State Board of Education by October 1 that their certificate has expired. Allows for a license renewed before December 31 of the year it expired to be backdated, and caps cost of processing fees for renewal. EFFECTIVE 7/1

- Status: Signed by Gov 5/12

Funding and SDE

Agency Directives

- **HB 1044** Rep Walker, Sen Treat: Allows agencies with more than 10 employees to develop an Employee Suggestion Program, under which any employee who makes a suggestion that is implemented that results in cost savings of at least \$5,000 may receive a financial reward. Rules to be promulgated by OMES. EFFECTIVE 90 days after Sine Die

- Status: Signed by Gov 5/11

- [**HB 1823**](#) Rep Martin, Sen Jolley: Directs that the State Board of Education shall study and may make recommendations on revisions to the calculation metrics of all components of the A-F report cards to ensure that the evaluation system is clear, transparent, statistically trustworthy, credible and aligned with the state assessment system. Requires the board to seek certification from the Higher Regents on the recommended revisions. The Regents are required to provide the board with any deficiencies they find with the study and recommendations. [A report is to be submitted to the House, Senate and Governor by December 31, 2015.](#) EFFECTIVE IMMEDIATELY.
 - Status: Signed by Gov 6/3
- [**SB 189**](#) Sen Sharp, Rep Casey: Requires agencies to submit in their annual budget request due in October, a budget analysis of existing and proposed programs utilizing performance-informed budgeting techniques. This legislation is a continuance of Governor's initiative to implement performance-based budgeting. EFFECTIVE 7/1
 - Status: Signed by Gov 4/24
- [**SB 285**](#) Sen Ford, Rep Coody: Changes the name of Oklahoma Parents as Teachers to program of parent education. Requires early childhood standards to be aligned with new standards. EFFECTIVE 11/1
 - Status: Signed by Gov 5/1

Funding

- [**HB 2242**](#) Rep Sears, Sen Jolley: This is the general appropriations bill. The State Department of Education is appropriated for FY 16 \$2,484,873,132, the same amount as was appropriated for FY 15. Amounts are detailed for the financial support of public schools (funding formula), Textbooks and Instructional Materials, Flexible Benefit Allowance (FBA), the support of public school activities (the line items), and Administrative and Support Functions of SDE. Additionally, \$28,283,724 was appropriated to the Ad Valorem Reimbursement Fund. EFFECTIVE 7/1.
 - Status: Signed by Gov 6/1
- [**HB 2244**](#) Rep Sears, Sen Jolley: Caps the amount of funding going to school districts from the Oklahoma Vehicle License and Registration Act at current year levels, which is 36.20% of the taxes received, from FY 16 onward. EFFECTIVE 7/1
 - Status: Signed by Gov 6/1
- [**SB 847**](#) Sen Jolley, Rep Sears: Transfers \$75,000,000 from the Constitutional Reserve Fund (Rainy Day Fund) for the financial support of public schools (funding formula). EFFECTIVE 7/1
 - Status: Signed by Gov 6/1