

# 2016 LEGISLATION



OKLAHOMA STATE DEPARTMENT OF  
**EDUCATION**  
— CHAMPION EXCELLENCE —



JOY HOFMEISTER

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

Dear Educator:

The Oklahoma State Department of Education is excited to provide to you the ***2nd Annual Red Banner Book*** as a resource to help you stay informed of state education legislation.

New laws that emerge from legislative session each year can be overwhelming. The impact on districts, schools and classrooms across Oklahoma can be significant or minimal, immediate or delayed, positive or troubling — but there is one constant: You need to know the law.

This book is not intended to be all-inclusive nor serve as legal advice, but it will give you a general overview of this year's new laws and legislative actions affecting public education.

This year we are excited to report that seven bills recommended by the Teacher Shortage Task Force were signed into law, along with three bills recommended by the Red Tape Task Force. Additionally, we are pleased with the changes to the Teacher and Leader Effectiveness evaluation system (HB 2957) and to our state assessments and graduation requirements (HB 3218).

Thank you for your service to the children of Oklahoma. You already have so much to navigate, and an onslaught of new requirements doesn't make things any simpler.

Please remember that the Oklahoma State Department of Education is here to serve you. I hope to hear your questions, concerns and ideas. Never hesitate to get in touch.

Thank you,

A handwritten signature in cursive script that reads "Joy Hofmeister".

Joy Hofmeister  
State Superintendent of Public Instruction



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## **H.B. 1065**

RE: H.B. 1065

SUBJECT: Education employment contracts

House Bill 1065 becomes effective August 25, 2016. This bill amends the provisions of H.B. 3109 regarding employee information worksheets.

- Section 1: Changes the requirement for an employee worksheet to be presented annually to each teacher and administrator from prior to the first payroll in September to prior to the first payroll in November.

NOTE: Amends the provisions of H.B. 3109.

Should you have any questions related to this bill, please contact Ms. Lynn Jones, Executive Director of Accreditation, at (405) 521-6638 or Ms. Carolyn Thompson, Chief of Government Affairs, at (405) 522-3520.

Amendment to: 70 O.S. 6-101.6



## **H.B. 1581**

RE: H.B. 1581

SUBJECT: State agency reports of federal funds

House Bill 1581 becomes effective September 1, 2016. This bill requires agencies to submit certain information regarding federal funds they receive.

- Section 1: Requires each state agency that submits an itemized budget request to submit a written report to the Office of Management and Enterprise Services (OMES) containing the amount of federal funds received, source of federal funds received and description of any required action or prohibited action as a condition of receiving the funds.
  - Report must be submitted along with the budget information submitted on October 1 of each year.
  - Requires OMES to post each agency's report on the transparency pages of its website.

Should you have any questions related to this bill, please contact Ms. Mathangi Shankar, Chief Financial Officer, at (405) 522-0162 or Ms. Carolyn Thompson, Chief of Government Affairs, at (405) 522-3520.

New Law at: 62 O.S. 34.36.1

Helpful Statutory References: 62 O.S. 34.36, 62 O.S. 46



## **H.B. 2097**

RE: H.B. 2097

SUBJECT: Contracts for health care services

House Bill 2097 becomes effective November 1, 2016. This bill allows for a member of an HMO to request a printed copy of their contract.

- Section 1: Provides that every health maintenance organization (HMO) group and individual contract holder is entitled to request a printed copy of the contract from the HMO if the member cannot view and print the electronic copy.

Should you have any questions related to this bill, please contact Ms. Carolyn Thompson, Chief of Government Affairs, at (405) 522-3520.

Amendment to: 36 O.S. 6908



## **H.B. 2258**

RE: H.B. 2258

SUBJECT: Oklahoma State Pension Commission

House Bill 2258 becomes effective November 1, 2016. This bill amends the information that is required to be in the financial performance reports of the Oklahoma State Pension Commission.

- Section 1(A)(1): Eliminates the requirement for the quarterly financial report of the various retirement systems to contain an analysis of the performance of the custodian bank or trust company.
- Section 1(A)(2): Changes the requirements for the annual financial report to include changes in the investment policy statements adopted by each retirement system, as opposed to an analysis of the entire investment plan, and an analysis of the performance of the securities lending program and short-term investment fund.

Should you have any questions related to this bill, please contact Ms. Carolyn Thompson, Chief of Government Affairs, at (405) 522-3520.

Amendment to: 74 O.S. 942



## H.B. 2263

RE: H.B. 2263

SUBJECT: Teachers' Retirement System

House Bill 2263 becomes effective November 1, 2016. This bill makes a variety of changes to the operations of the Teachers' Retirement System including setting a deadline for application for retirement.

- Section 1(1)(a): Requires application for retirement to be filed with the Board of Trustees of the Teachers' Retirement System not less than sixty days before the date of retirement. Allows the Executive Director to waive the sixty-day deadline for good cause.
  - Requires the employer to provide the system with certain information no later than the 15<sup>th</sup> day of the month of retirement including last day physically on the job, last day on payroll, any regular compensation not already reported and final unused sick leave balance.
  - Failure to submit information by the deadline or errors in the submitted information may result in disqualification of retirement eligibility, in which case, the employer must reemploy the member or retain the member on the payroll for the amount of time required to reach eligibility, but not more than two months.
- Section 1(8)(g): Allows for any individual who is otherwise eligible to be a beneficiary of a member and who is also a beneficiary of a trust, to be a beneficiary of the member by having the trustee of the trust named as the legal beneficiary.
- Section 1(8)(h): Allows the Board of Trustees to recognize other trusts set up for the benefit of individuals eligible to be named as beneficiaries by process of administrative rule if it can be done without undue additional administrative expense.
- Section 1(13): Allows for an amount of \$25,000, changed from \$5,000, to be paid upon death of a member who dies with no living beneficiary or who has designated his or her estate as the beneficiary without intervention of the probate court.
- Section 2(17): Current law requires a Medical Board to be designated by the Board of Trustees. Allows for the physicians to be legally qualified to practice medicine in Oklahoma or in the state in which they reside. Allows the Board of Trustees to have more than one Medical Board.

- Section 3(H): Allows the Board of Trustees to provide direct access to the data from the custodian bank to the Oklahoma State Pension Commission instead of compiling and distributing a quarterly financial report.
- Section 4(E): Requires all participating employers to provide a comprehensive annual report showing the correct compensation, service credit and contributions for the prior fiscal year. Requires employers to provide reasonable access to payroll records, records of contribution payments to the System and all other relevant records. Requires employers to cooperate with System auditors.
- Section 5: Allows the Board of Trustees to waive late fees on required school reports and employer/employee contribution reports for good cause.

Should you have any questions related to this bill, please contact Ms. Carolyn Thompson, Chief of Government Affairs, at (405) 522-3520.

Amendment to: 70 O.S. 17-105, 17-106, 17-106.1, 17-108.1, 17-120



## **H.B. 2281**

RE: H.B. 2281

SUBJECT: The Oklahoma Open Records Act

House Bill 2281 becomes effective November 1, 2016. This bill provides for a means to meet the requirements of the Open Records Act through online records.

Current law requires a public body to provide prompt, reasonable access to its records, but may establish reasonable procedures to prevent excessive disruptions of its essential functions.

- Section 1(5): Allows for any public body that makes the requested records available online to have met the obligation of providing prompt, reasonable access as is required.

Should you have any questions related to this bill, please contact Ms. Lynn Jones, Executive Director of Accreditation, at (405) 521-6638 or Ms. Carolyn Thompson, Chief of Government Affairs, at (405) 522-3520.

Amendment to: 51 O.S. 24A.5



## **H.B. 2298**

RE: H.B. 2298  
SUBJECT: Safe Driving Act

House Bill 2298 becomes effective November 1, 2016. This bill adds a new requirement for driver education courses.

- Section 2(K): Requires all driver education courses, including those taught at a prescribed secondary school and parent-taught driver education courses certified by the Department of Public Safety, to include education regarding the dangers of texting while driving and the effects of being under the influence of alcohol or other intoxicating substances while driving.

Should you have any questions related to this bill, please contact Dr. Jeanene Barnett, Executive Director of Curriculum and Instruction, at (405) 522-3521 or Ms. Carolyn Thompson, Chief of Government Affairs, at (405) 522-3520.

Amendment to: 47 O.S. 6-105



## **H.B. 2315**

RE: H.B. 2315

SUBJECT: Instruction and continuing education for certain school district personnel

House Bill 2315 becomes effective April 11, 2016. This bill allows for certain past instruction to count toward instructional requirements for treasurers and encumbrance clerks.

Current law requires every school district treasurer and encumbrance clerk to complete at least 12 hours of instruction in certain areas within the first nine months of employment.

- Section 1(C): Allows for instruction that is completed in the required areas by the school district treasurer or encumbrance clerk within three years prior to employment in such position to count toward satisfying the instruction requirements.

Should you have any questions related to this bill, please contact Ms. Nancy Hughes, Executive Director of Financial Accounting, OCAS and Auditing, at (405) 521-2517 or Ms. Carolyn Thompson, Chief of Government Affairs, at (405) 522-3520.

Amendment to: 70 O.S. 5-190



## H.B. 2371

RE: H.B. 2371

SUBJECT: Oklahoma Teacher Preparation Act

House Bill 2371 becomes effective July 1, 2016. This bill changes the definition of mentor teacher to include retired teachers.

- Section 1: Eliminates from the definition of “mentor teacher” the requirement that the teacher hold a standard certificate and be employed in a school district in order to serve as a mentor teacher. Adds to the definition that a mentor teacher can be a current *or former* classroom teacher as long as he/she has a minimum of two years of classroom teaching experience as a certified teacher. Also, eliminates the requirement that the mentor teacher be assigned to the same school site as the resident teacher.

Should you have any questions related to this bill, please contact Dr. Robyn Miller, Deputy Superintendent for Educator Effectiveness and Policy Research, at (405) 521-3332 or Ms. Carolyn Thompson, Chief of Government Affairs, at (405) 522-3520.

Amendment to: 70 O.S. 6-182



## **H.B. 2404**

RE: H.B. 2404

SUBJECT: Free attendance at public schools

House Bill 2404 becomes effective November 1, 2016. This bill directs the State Board of Education to promulgate rules regarding early childhood programs.

- Section 1: Directs the State Board of Education to promulgate rules to create exemptions relating to the maximum age at which a child may attend half-day or full-day early childhood programs.

Should you have any questions related to this bill, please contact Ms. Lynn Jones, Executive Director of Accreditation, at (405) 521-6638 or Ms. Carolyn Thompson, Chief of Government Affairs, at (405) 522-3520.

Amendment to: 70 O.S. 1-114



## **H.B. 2432**

RE: H.B. 2432

SUBJECT: Posting of child abuse toll-free telephone number information in schools

House Bill 2432 becomes effective July 1, 2016. This bill requires a sign to be posted in all schools with the Child Abuse and Neglect Hotline.

- Section 1: Requires each public school to post a sign in English and Spanish that contains the toll-free telephone number to receive reports of child abuse or neglect operated by the Department of Human Services (the Child Abuse and Neglect Hotline).
  - The sign must be posted in a clearly visible location in a public area of the school that is readily accessible to students.
  - Requires the State Board of Education to promulgate rules regarding the size and location of the sign.

Should you have any questions related to this bill, please contact Ms. Shelly Ellis, Executive Director of Counseling, at (405) 521-3549 or Ms. Carolyn Thompson, Chief of Government Affairs, at (405) 522-3520.

New Law at: 70 O.S. 1210.162

Helpful Statutory References: 10A O.S. 1-2-101



## **H.B. 2535**

RE: H.B. 2535

SUBJECT: Apprenticeships, Internships and Mentorships

House Bill 2535 becomes effective November 1, 2016. This bill creates the “Apprenticeships, Internships and Mentorships (AIM) Act of 2016.”

- Section 2: Authorizes school boards to enter into agreements with private or public organizations in order to create apprenticeship, internship and mentorship programs beginning in the 2017-18 school year. Allows for high school juniors and seniors to participate as determined by the school. Allows for the apprenticeship, internship or mentorship to fill the requirement for elective courses, but not to replace any other state education requirement.
  - Policies adopted by the school board may include registration and qualifications for private and public organizations in order to participate.
- Section 3: Directs the State Department of Education to promulgate rules to carry out the provisions of this act.

Should you have any questions related to this bill, please contact Dr. Jeanene Barnett, Executive Director of Curriculum and Instruction, at (405) 522-3521 or Ms. Carolyn Thompson, Chief of Government Affairs, at (405) 522-3520.

New Law at: 70 O.S. 1210.528, 1210.528-1, 1210.528-2



## H.B. 2544

RE: H.B. 2544

SUBJECT: Length of the school year

House Bill 2544 becomes effective July 1, 2016. This bill amends policies relating to school hours policies and extended day schedules.

- Section 1(A): For those districts choosing to operate under a policy of one thousand eighty (1,080) hours, the district board of education must notify the State Board of Education prior to October 15 of the applicable school year, changed from September 15.
- Section 1(G): Eliminates the provision allowing the State Board of Education to authorize school districts to implement an extended day schedule. Eliminates the requirement that participating school districts prepare a report of the impact of the extended day schedule.
  - Eliminates the limitation of an extended day schedule to grades nine through twelve, effectively allowing a district board to adopt an extended day schedule for any grade.

\*NOTE: As a result, school district boards of education adopting a school days policy may implement an extended-day schedule without approval of the State Board of Education subject to existing requirements of law.

Should you have any questions related to this bill, please contact Ms. Lynn Jones, Executive Director of Accreditation, at (405) 521-6638 or Ms. Carolyn Thompson, Chief of Government Affairs, at (405) 522-3520.

Amendment to: 70 O.S. 1-109



## **H.B. 2571**

RE: H.B. 2571

SUBJECT: Maximum and minimum speed limits

House Bill 2571 becomes effective November 1, 2016. This bill changes terminology regarding roads and highways as it applies to school bus speed limits.

- Section 1 (A): Changes the term “two-lane highways” to “two-lane roads.” Changes the term “multilane divided highways, turnpikes and interstate highways” to “the state highway system, the interstate highway system and the turnpike system.”
  - Sets the maximum lawful speed limit for a school bus at 55 mph on paved two-lane roads and 65 mph on state highways and turnpikes.

Should you have any questions related to this bill, please contact Mr. Trent Gibson, Director of Student Transportation, at (405) 521-3472 or Ms. Carolyn Thompson, Chief of Government Affairs, at (405) 522-3520.

Amendment to: 47 O.S. 11-801



## **H.B. 2614**

RE: H.B. 2614

SUBJECT: Out-of-school suspension

House Bill 2614 becomes effective July 1, 2016. This bill allows for students to be withheld from the regular school setting for previously being removed from a school for certain offenses through electronic communication.

Current law provides certain circumstances under which a public school is not required to provide education services in the regular school setting.

- Section 1(F): Adds to the list of circumstances, any student who has been removed from a public or private school in this state or any other state by administrative or judicial process for using electronic communication with intent to terrify, intimidate or harass, or threaten to inflict injury or physical harm to faculty or other students.
  - A school enrolling such students may elect to not provide education services in the regular school setting until the school determines that the student no longer poses a threat to self, other students or school district faculty or employees.

Should you have any questions related to this bill, please contact Ms. Shelly Ellis, Executive Director of Counseling, at (405) 521-3549 or Ms. Carolyn Thompson, Chief of Government Affairs, at (405) 522-3520.

Amendment to: 70 O.S. 24-101.3

Helpful Statutory References: 70 O.S. 24-100.3



## H.B. 2615

RE: H.B. 2615

SUBJECT: Student-athletes

House Bill 2615 becomes effective November 1, 2016. This bill prohibits a person from offering anything of value to a student-athlete that could cause them to lose their collegiate eligibility, and puts in place fines and a right of action for any violation.

- Section 1: Defines the terms “immediate family,” “person,” “student-athlete” and “transaction.”
- Section 2(A): Prohibits any person from giving, offering, promising or attempting to give any money or other thing of value to a student-athlete or member of their immediate family in order to entice them to attend a certain postsecondary institution in order to participate in intercollegiate sports or contests or as a reward for their participation.
- Section 2(B): Prohibits any person either indirectly or through an agent from conducting a transaction with a student-athlete that could cause them to either permanently or temporarily lose their athletic scholarship eligibility or ability to participate in sporting competitions sanctioned by a national association, athletic conference or other sanctioning body, or the institution itself.
- Section 2(C): Clarifies that Section 2(B) does not apply to officers and employees of the institutions when they are acting in accordance with official written policy which is in compliance with the rules of the National Collegiate Athletic Association (NCAA), any athletic award approved or administered by the institution, grants in aid or other full or partial scholarships, members of the immediate family of the student-athlete, and money or things of value given to a student-athlete or immediate family that do not exceed \$100 in aggregate value annually.
- Section 2(D): Any violation is deemed to be a misdemeanor carrying a fine of not less than \$1,000 and not more than \$5,000, or imprisonment for not more than one year.
- Section 2(E): Each public and private high school must advise each participating student athlete in writing of these provisions and the effect of receiving money or other things of value at the beginning of each sports season. These provisions do not apply to intramural athletic programs sponsored by the school.

- Section 3: Gives each public and private postsecondary institution a right of action against any person who engages in an activity that results in penalties or disqualification against the institution or causes the student-athlete to permanently or temporarily lose scholarship eligibility and the ability to participate in sporting competitions. Allows the institution to recover damages including scholarships, television revenue, bowl revenue or other fees associated with an investigation, among other things.

Should you have any questions related to this bill, please contact Ms. Lynn Jones, Executive Director of Accreditation, at (405) 521-6638, Ms. Shelly Ellis, Executive Director of Counseling, at (405) 521-3549 or Ms. Carolyn Thompson, Chief of Government Affairs, at (405) 522-3520.

New Law at: 70 O.S. 822.1, 822.2, 822.3



## H.B. 2616

RE: H.B. 2616

SUBJECT: Telecommunications

House Bill 2616 becomes effective May 9, 2016. This bill defines a preapproval process for Beneficiaries of the Oklahoma Universal Service Fund to receive reimbursement for Special Universal Services.

- Section 3: Defines several terms including:
  - “Administrative process” to mean an administrative application process that allows Oklahoma Universal Service Fund (OUSF) Beneficiaries to submit a preapproval request directly to the Administrator without requiring an order from the Corporation Commission to determine eligibility for, allocate or disburse funds unless a request for reconsideration is filed.
  - “Administrator” to mean the Director of the Public Utility Division of the Corporation Commission.
  - “Oklahoma Universal Service Fund Beneficiary” to mean an entity eligible to receive Special Universal Services support, which includes public schools.
  - “Public School” to mean all free schools supported by public taxation that include grade pre-K through 12 and technology center schools that provide vocational and technical instruction for high school students. Public school does not include private schools, home schools or virtual schools.
- Section 4(D): Defines the procedure for eligible local exchange telecommunications providers and eligible providers to seek and obtain OUSF and Oklahoma Lifeline Fund (OLF) funding.
- Section 5(B): Directs the Corporation Commission to establish the OLF assessment and the OUSF assessment of contributing providers at a level sufficient to recover the costs of administration and payments for OUSF and OLF requests for funding.
- Section 6(A)(2): Declares each public school to be a Special Universal Service and therefore eligible to receive Special Universal Services including E-rate Eligible Services List (ESL) for Category One services as determined by the FCC or USAC for the applicable funding year.

- Special Universal Services include the provision of bandwidth sufficient for providing educational services not to exceed, without good cause shown, the standards established for the relevant funding year by the State Educational Technology Directors Association (SETDA), WAN connections, reasonable installation, and network termination equipment owned and operated by the eligible provider.
- For the purposes of determining bandwidth recommendations, student count reported by the State Department of Education in October of the year prior to the relevant funding year is to be utilized.
- Special Universal Services do not include voice services that use separate lines or have allocated bandwidth.
- Section 6(B)(2): Allows for OUSF Beneficiaries to receive both OUSF and other state or federal funds, however, does not allow for double recovery. Directs OUSF Beneficiaries to make every reasonable effort to obtain funding from other state and federal funds designed to support Special Universal Services, and provide evidence of such efforts when making requests to the OUSF Administrator. Failure to do so may result in denial of funding.
- Section 6(B)(5): Requires OUSF Beneficiaries to conduct fair and open competitive bidding processes to select the services and carrier eligible for support. Bid processes must clearly identify the bandwidth range requested, not limit bidders based upon technology, allow bidding to be open to all carriers authorized to receive OUSF funding in the telephone exchange where the Beneficiary is located, and not be structured in a manner to exclude carriers eligible to receive OUSF funding in the telephone exchange where the Beneficiary is located.
- Section 6(B)(6): Special Universal Services competitively bid cannot receive a credit more than 25% greater than the lowest cost reasonable qualifying bid of the total pre-discount amount of eligible services plus installation charges and less federal funding support for the same services.
  - “Lowest cost reasonable qualifying bid” is defined to mean a bid that represents the lowest total cost proposal, is reasonable to meet the needs, submitted during the same competitive bidding period as the awarded bid, is for a bandwidth within the range requested, is for the same contract term as the bid that was selected, meets the requirement of the request for bid and was the result of a fair and open competitive bidding process.
- Section 6(C): Funding will not be granted for more than one eligible provider for the same service at the same location for the same time period. The Administrator has the authority to investigate each request for OUSF funding and must deny requests in excess of the credit amounts authorized.

- Section 6(F): Sets the preapproval and reimbursement procedures for Special Universal Services for each applicable funding year beginning July 1, 2017.
  - Directs the OUSF administrator to post the form for preapproval on the Commission website no later than June 30 of each year for requests submitted after August 31 of that year.
  - The Administrator must issue an approval letter for funding to the OUSF Beneficiary and eligible provider within 90 days of receipt of a properly completed preapproval request. Failure to do so by the Administrator will result in automatic approval of the request and subsequent approval for reimbursement as long as it is consistent with the preapproval request.
  - Approval letters will inform the Beneficiary of the preapproved services and associated credit for that funding year. Credits may be adjusted based on support received from other sources.
  - Preapproval requests must include the form as required by the Commission, a request for federal funding support form, federal funding commitment letter if issued, and competitive bidding documentation.

Should you have any questions related to this bill, please contact Mr. Kurt Bernhardt, Executive Director of Education Technology, at (405) 521-3364 or Ms. Carolyn Thompson, Chief of Government Affairs, at (405) 522-3520.

Amendment to: 17 O.S. 137.3, 139.101, 139.102, 139.106, 139.107

New Law at: 17 O.S. 139.109.1

Repealed: 17 O.S. 139.109



## **H.B. 2649**

RE: H.B. 2649  
SUBJECT: School Day

House Bill 2649 becomes effective July 1, 2016. This bill gives district boards of education authority over having two school days in a 24-hour period in certain circumstances.

Current law requires that a school day consist of not less than six hours devoted to school activities.

- Section 1: Gives school district boards of education the authority to allow for two school days, of six hours each, to be counted for attendance purposes in any 24-hour period if one of the school days is for the purpose of parent-teacher conferences.

Should you have any questions related to this bill, please contact Ms. Lynn Jones, Executive Director of Accreditation, at (405) 521-6638 or Ms. Carolyn Thompson, Chief of Government Affairs, at (405) 522-3520.

Amendment to: 70 O.S. 1-111  
Helpful Statutory References: 70 O.S. 1-109



## H.B. 2720

RE: H.B. 2720

SUBJECT: Charter Schools

House Bill 2720 becomes effective July 1, 2016. This bill makes several clarifications as to the operations of a conversion school under the Oklahoma Charter Schools Act.

- Section 1(D): Strikes “conversion charter school” from the definition of “charter school.”
- Section 1(E)(1): Defines “conversion school” to mean a school created by converting all or part of a traditional public school in order to access any or all flexibilities afforded to a charter school.
- Section 1(E)(2): Requires a board of education of a school district to prepare a conversion plan prior to converting all or any part of a traditional public school to a conversion school. The plan must comply with certain provisions of the Oklahoma Charter School Act. The plan and all documents must be in writing and made available to the public according the Oklahoma Open Records Act. All votes to approve a conversion plan must be held in open public session. If a board votes to approve a conversion plan, the board must notify the State Board of Education within 60 days and must include in its notification a copy of the minutes of the meeting.
  - Things not required to be included in a conversion plan are a financial plan, hiring policy, sponsor name, enrollment plan, school calendar, lottery procedures, plans for transportation and food service, parental involvement, start-up plans, financial and audit policies, insurance coverage, budget, cash-flow projections, fundraising and facilities plan.
- Section 1(E)(3): Requires conversion schools to comply with the same accountability measures as are required of a charter school, and the same laws and rules relating to student enrollment that apply to traditional public schools. Conversion schools are to be funded by the board of education of the school district as a site within the district and funding is not affected by the conversion of the school.
- Section 1(E)(4): Allows a board of education to vote to revert a conversion school back to a traditional public school at any time, provided the change occurs between school years.

- Section 1(E)(5): States that a conversion school will retain the characteristics of a traditional public school.
- Section 2(A): Gives the board of education of each school district express power to convert all or part of a traditional public school into a conversion school and to purchase, construct or rent, and operate and maintain facilities and equipment for the operation of a conversion school.

Should you have any questions related to this bill, please contact Ms. Lynn Jones, Executive Director of Accreditation, at (405) 521-6638, Dr. Daniel Craig, Regional Accreditation Officer, at (405) 397-2302 or Ms. Carolyn Thompson, Chief of Government Affairs, at (405) 522-3520.

Amendment to: 70 O.S. 3-132, 5-117

Helpful Statutory References: 70 O.S. 3-140, 3-142



## H.B. 2784

RE: H.B. 2784

SUBJECT: Student Records

House Bill 2784 becomes effective July 1, 2016. This bill changes the requirements for retention of transcripts and other student records.

- Section 1(A): Eliminates the requirement for district boards of education to store duplicate copies of scholastic and other permanent records for each student. Instead directs that districts must compile and maintain both temporary and permanent records of enrolled students. Boards must regulate access, disclosure or communication of the information in a manner consistent with state and federal law.
- Section 1(B): Allows districts to store student records either electronically or in paper format. Requires records to be stored, backed up and secured in accordance with standards and protocol developed by the State Board of Education.
- Section 2(C): Requires student transcripts to be maintained for at least 80 years following a student's graduation, transfer or withdrawal from the district.
  - Defines "transcript" to mean the permanent academic record of a student and is required to include the name, address, telephone listing and date and place of birth, inventory of all courses taken, all grades received, grade-point averages or class rank, and all academic and extracurricular or after-school activities.
- Section 2(D): With the exception of student transcript records, school districts are directed to dispose of information in a student record as determined by the district, but that is between five and seven years after the student has graduated, transferred or withdrawn from the district.
  - Requires the State Board of Education to promulgate rules regarding notification before the destruction of records.

Should you have any questions related to this bill, please contact Ms. Shelly Ellis, Executive Director of Counseling, at (405) 521-3549 or Ms. Carolyn Thompson, Chief of Government Affairs, at (405) 522-3520.

Amendment to: 70 O.S. 24-114



## H.B. 2797

RE: H.B. 2797

SUBJECT: Humanity of the Unborn Child Act

House Bill 2797 becomes effective November 1, 2016. This bill creates the “Humanity of the Unborn Child Act.”

- Section 2(A): Directs the State Department of Health, *contingent on the appropriation of funds for this purpose*, to develop and maintain a website containing information for public and private agencies and services available to assist a woman through pregnancy, upon childbirth, and while the child is dependent.
- Section 2(C): On or before January 1, 2018, the State Department of Health is required to make available to each facility in the state which is open to the public, contains a restroom that is open to the public and is licensed by the State Department of Health, signage to be posted in the restroom containing the information required in Section 2(A).
- Section 3: Directs the State Department of Health, *contingent on the appropriation of funds for this purpose*, to:
  - Develop and make available materials designed to provide accurate, scientifically verifiable information concerning the probable anatomical and physiological characteristics of the unborn child at two-week gestational intervals;
  - Develop and distribute educational and informational materials to provide information to the public through public service announcements, media and otherwise for the purpose of achieving an abortion-free society;
  - Provide technical assistance to help community-based organizations in the planning and implementation of abortion prevention, alternatives to abortion and educational programs;
  - Provide outreach, consultation, and informational material concerning maternal behavior which can be helpful to a child in utero; and
  - Recommend to the State Department of Education scientifically verifiable information to be included in the educational standards of science, family and consumer sciences and health classes.

- Section 4: Directs the State Department of Education, *contingent on the appropriation of funds for this purpose*, to establish an instructional program for students consistent with the provisions of this Act.
  - Local school boards *may* choose to implement the program. For districts choosing to implement the program, the content used by the local district to teach the humanity of the unborn child shall be at the discretion of the local school board.
  - Any instructional program must:
    - Provide accurate, scientifically verifiable information concerning the probable anatomical and physiological characteristics of the unborn child at two-week gestational intervals. The State Department of Education may utilize materials created by the State Board of Medical Licensure and Supervision and available at [www.awomansright.org](http://www.awomansright.org);
    - Include information on accessing prenatal health care; however, no program or state employee may refer a student to a facility or provider to perform an abortion;
    - Include no component of human sexuality education other than those included in the science education standards; and
    - Comply with the Parents’ Bill of Rights.
- Section 5: Creates the “Public Education on the Humanity of the Unborn Child Fund” revolving fund for the State Board of Education to receive monies be expended for the establishment of the instruction programs listed in Section 4.

Should you have any questions related to this bill, please contact Ms. Sherry Fisher, Director of Health and Physical Education, at (405) 522-4499 or Ms. Carolyn Thompson, Chief of Government Affairs, at (405) 522-3520.

New Law at: 63 O.S. 1-751, 1-752, 1-753, 1-754, 1-755

Helpful Statutory References: 73 O.S. 1-738.3, 25 O.S. 2001 through 2005



## H.B. 2931

RE: H.B. 2931  
SUBJECT: School Safety

House Bill 2931 becomes effective July 1, 2016. This bill changes the types of security drills schools are required to conduct.

- Section 1: Requires district boards of education to ensure that a minimum of four security drills are conducted at each school per school year, instead of two lockdown drills.
  - Directs each security drill to be conducted at different times of the day and maintains that no more than two security drills are to be conducted in one semester. Directs that one security drill must be conducted within the first 15 days of each semester.
  - Directs the State Board of Education to promulgate rules for implementation.
- Section 2: Requires in addition to four security drills, all public schools are to conduct a minimum of six safety drills, reduced from eight safety drills.
  - Eliminates the requirement for two intruder drills per school year.
  - Updates the name of the Institute for School Security Resources to the Oklahoma School Security Institute within the Oklahoma Office of Homeland Security, where districts must file a copy of documentation of school safety drills.

Should you have any questions related to this bill, please contact Ms. Lynn Jones, Executive Director of Accreditation, at (405) 521-6638 or Ms. Carolyn Thompson, Chief of Government Affairs, at (405) 522-3520.

Amendment to: 70 O.S. 5-148, 5-149



## H.B. 2946

RE: H.B. 2946

SUBJECT: Teacher Certification

House Bill 2946 becomes effective July 1, 2016. This bill changes the requirements for a person who holds an out-of-state or out-of-country teaching certificate to receive an Oklahoma teaching certificate.

- Section 1(C): Adds to the list of those the State Board of Education is directed to issue a certificate to teach, any person who:
  - Holds an out-of-country certificate and meets additional requirements established by the Board, or
  - Has successfully completed a competency exam used in the majority of other states or a comparable customized exam. The certificate to teach can only be for those subject areas and grade levels that correspond with an area of certification used in Oklahoma.
- Section 1(F): Eliminates the requirement that a person meeting the out-of-country requirements or holding a valid out-of-state certificate have five years of successful teaching experience as a certified teacher in an accredited school. Candidates meeting these requirements are not required to take any competency exams in those subject areas and grade levels most closely aligned to the subject areas and grade levels recognized on the out-of-state or out-of-country certificate.
  - Directs the Board to promulgate rules to establish a process by which out-of-country certificates will be reviewed and evaluated.

NOTE: All candidates for certification must have on file with the Board a current Oklahoma criminal history record check from the Oklahoma State Bureau of Investigation as well as a national criminal history record check.

- Section 2(C): For the purposes of salary increments and retirement, directs the Board to accept teaching experience from out-of-country schools that are accredited or otherwise endorsed by the appropriate national or regional accrediting or endorsement authority. Any documentation in a language other than English is to be analyzed by an educational credential evaluation service approved by the National Association of Credential Evaluation Services (NACES) at the cost of the teaching candidate. Directs the Board to

accept teaching experience from primary and secondary schools operated by the U.S. Department of Defense or are affiliated with the U.S. Department of State.

- Section 2(D): For the purposes of salary increments and retirement, no teacher may be granted credit for more than five years of out-of-country teaching experience.

Should you have any questions related to this bill, please contact Mr. Jeff Smith, Executive Director for Teacher Certification, at (405) 521-3337 or Ms. Carolyn Thompson, Chief of Government Affairs, at (405) 522-3520.

Amendment to: 70 O.S. 6-190, 18-114.14  
Helpful Statutory References: 74 O.S. 150.9



## H.B. 2957

RE: H.B. 2957  
SUBJECT: Teachers

House Bill 2957 becomes effective July 1, 2016. This bill makes several changes to the Teacher and Leader Effectiveness (TLE) evaluation system, including making the quantitative component a district option.

- Section 1(4): Changes the definition of “career teacher” to include a teacher who:
  - Is employed by a school district *prior to the 2017-2018 school year* under a written continuing or temporary teaching contract and has completed three or more consecutive school years as a teacher in one school district, or
  - Is employed for the first time by a school district *during the 2017-2018 school year or after* under a written continuing or temporary teaching contract and has met one of the following criteria:
    - Completed three consecutive school years in one district and achieved a district evaluation rating of “superior” for two of the three school years, or
    - Completed four consecutive school years in one district, has averaged a district evaluation rating of at least “effective” and has received a district evaluation rating of at least “effective” for two of the four school years, or
    - Completed four or more consecutive school years in one district, but has not met the requirements of either of the two criteria above, if the principal of the school submits a petition to the superintendent requesting the teacher be granted career status, the superintendent agrees, and the local board of education approves. The principal must give underlying facts supporting the granting of career status.
- Section 1(6): Changes the definition of “probationary teacher” to mean a teacher who:
  - Is employed by a school district *prior to the 2017-2018 school year* under a writing teaching contract and has completed fewer than three consecutive school years in one school district, or

- Is employed for the first time by a school district *during the 2017-2018 school year or after* under a written teaching contract and has not met the requirements of career teacher as defined above.
- Section 1(9): Defines “district evaluation rating” to mean the rating issued based on the components of the TLE as set by the written policy of evaluation for all teachers and administrators within a school district. District evaluations must include the existing qualitative component and the individualized program of professional development component as defined in Section 4.

\*NOTE: H.B. 3218 made changes to the definition of “teacher” as it is used in this bill.

- Section 2(A)(1): Requires each district board of education to include a corresponding professional development policy with its policy of evaluation for all teachers and administrators.
  - Eliminates how evaluations were to be conducted in previous years from statute.
  - Requires evaluation ratings to be based on the qualitative component of the TLE for the for the 2016-2017 school year.
  - Requires the State Department of Education to work with school districts to develop individualized programs of professional development during the 2016-2017 school year.
  - Maintains that a school district with an average daily attendance (ADA) of more than 35,000 students may continue to use quantitative components that have been incorporated in its evaluation system prior to 2015-2016 at its own expense.
  - Directs that teachers and administrators will receive a district evaluation rating beginning in the 2017-2018 school year that incorporates the qualitative component and the individualized program of professional development component. Evaluations for 2017-2018 will be done on a pilot program basis.
  - Directs that teachers and administrators will receive a district evaluation rating beginning in the 2018-2019 school year that fully incorporates the qualitative component and the individualized program of professional development component.
- Section 2(A)(5): Directs that career teachers receiving a district evaluation rating of “superior” or “highly effective” may be evaluated once every three years.
- Section 2(A)(6): Adds to the list of those who can conduct evaluations for certified personnel, a designee of the principal, supervisor, content expert, department chair, peer committee or other trained persons or groups of persons designated by the district board.

- Section 2(B)(1): Requires policies of professional development to provide for a focused and individualized program of professional development that is consistent with the qualitative component. Requires policies to:
  - Establish annual professional growth goals that are developed in collaboration with the teacher or administrator and the evaluator,
  - Be tailored to address a specific area or criteria identified through the qualitative component,
  - Allow the teacher or administrator to actively engage with learning practices that are evidence-based, researched practices that correlate with increased student achievement,
  - Be supported by resources easily available and supplied by the district or state.
- Section 2(B)(2): Directs school districts to monitor compliance with the programs of professional development and directs professional development completed under an individualized program to count toward the total number of professional development points needed. Directs that the individualized program of professional development not be interpreted to increase the professional development points required.
- Section 2(B)(3): Individualized programs of professional development may include but are not limited to:
  - Presenter-led workshops,
  - Individual or faculty studies of books, scholarly articles and video productions,
  - Peer observations,
  - Committee studies to address student achievement,
  - Work related to a specific subject area when working towards an advanced degree or professional certification,
  - Action research projects designed to improve student achievement, and
  - Participation in initiatives associated with the development or implementation of curricular standards.
- Section 3: Eliminates the requirement that a principal receiving a qualitative and quantitative rating of “ineffective” for two consecutive years not be reemployed. Instead directing that a principal receiving a district evaluation rating of “ineffective” for two consecutive years *may* be dismissed or not reemployed, subject to due process.
- Section 4: Gives authority to the State Board of Education to adopt an evaluation system, working cooperatively with districts to incorporate all of the components by the 2017-2018 school year. Directs the TLE to include the following components:
  1. Annual evaluations that provide feedback to improve student-learning outcomes.

2. A five-tier district evaluation rating system.
  - Eliminates the requirement that the evaluation system include quantitative ratings that include performance measures based on student academic growth using multiple years of standardized test data.
3. An evidence-based qualitative assessment tool for the teacher portion of the TLE to include observable and measurable characteristics personnel and classroom practices.
4. An evidence-based qualitative assessment tool for the leader portion of the TLE to include observable and measurable characteristics of personnel and site management practices.
5. An individualized program of professional development for all teachers and administrators adopted by the school district board of education.
  - Eliminates the requirement that teachers receiving qualitative or quantitative ratings of “needs improvement” or “ineffective” have comprehensive remediation plans and instructional coaching.
  - Eliminates distinctions between evaluations of teachers in tested grades and subjects and those that are not in tested grades and subjects.
  - Districts may choose to use, at their own expense, quantitative measures as part of the district evaluation rating. Measures must include at least one reliable, research-based measure as approved by the State Board.
  - For ALL district evaluations, student performance, including performance on statewide tests if available, are to be discussed with the teacher and may be a consideration for the teacher’s district evaluation rating.

NOTE: Eliminates references to the Teacher and Leader Effectiveness Commission.

- Section 5: Eliminates many of the provisions surrounding teacher dismissal based on evaluation, but leaves the following provisions in place beginning in the 2017-2018 school year:
  - A career teacher receiving a district evaluation rating of “ineffective” for two consecutive years *shall* be dismissed or not reemployed. However, the superintendent may recommend and the district board may approve continued employment.
  - A career teacher who has received a district evaluation rating of “needs improvement” *may* be dismissed or not reemployed.

- A probationary teacher who has received a district evaluation rating of “ineffective” for two consecutive years *may* be dismissed or not reemployed.
- A probationary teacher who has not attained career teacher status within a four-year period *may* be dismissed or not reemployed.
- Section 5(F): A teacher *may* be dismissed, refused employment or not reemployed after a finding that the person has engaged in acts that could form the basis of criminal charges sufficient to result in the denial or revocation of a certificate as required by statute.

Should you have any questions related to this bill, please contact Dr. Jason Perez, Executive Director of Teacher and Leader Effectiveness, at (405) 522-0282 or Ms. Carolyn Thompson, Chief of Government Affairs, at (405) 522-3520.

Amendment to: 70 O.S. 6-101.3, 6-101.10, 6-101.13, 6-101.16, 6-101.22

Helpful Statutory References: 70 O.S. 3-104



## H.B. 2962

RE: H.B. 2962

SUBJECT: Autism spectrum disorders

House Bill 2962 becomes effective November 1, 2016. This bill requires all health benefit plans to provide coverage for autism spectrum disorder in children under the age of nine.

- Section 1: Requires all health benefit plans and the Oklahoma Employees Health Insurance Plan issued or renewed after November 1, 2016 to provide coverage for the screening, diagnosis and treatment of autism spectrum disorder in individuals under the age of nine or for at least six years if not diagnosed until after the age of three.
  - Requires that the individual continually and consistently show sufficient progress and improvement as determined by the health care provider. Prohibits a provider from refusing coverage due to a diagnosis for autism spectrum disorder.
  - Such coverage is not subject to dollar limits, deductibles or coinsurance that are less favorable to an insured that would normally apply. It also does not limit benefits that are otherwise available to an insured individual.
  - Sets maximum benefits at 25 hours per week and no more than \$25,000 per year.
  - States that coverage for applied behavior analysis includes the services of the board-certified behavior analyst or a licensed doctoral-level psychologist.
- Section 1(H): States that coverage is not to be construed as affecting any obligation to provide services to an individual under an individualized education program (IEP).
- Section 1(J): Defines the terms “applied behavior analysis,” “autism spectrum disorder,” “behavioral health treatment,” “diagnosis of autism spectrum disorder,” “health benefit plan,” “Oklahoma Employees Health Insurance Plan,” “pharmacy care,” “psychiatric care,” “psychological care,” “therapeutic care” and “treatment for autism spectrum disorder.”
- Section 2: Directs the Oklahoma Health Care Authority, in conjunction with the Department of Mental Health and Substance Abuse Services, the State Department of Health and the State Department of Education to examine the feasibility of a state plan amendment to the Oklahoma Medicaid Program for applied behavior analysis treatment of autism spectrum disorders.

- Requires a report to be submitted to the Legislature and Governor on or before December 31, 2016 estimating the potential costs, clinical findings, reviews of pilot projects and research from other states on the efforts of applied behavioral analysis treatment on autism spectrum disorders.
- If the report demonstrates applied behavioral analysis treatment to be evidence-based and essential to qualifying participants in Oklahoma, then the Authority and partnering agencies are to draft the amendment.

Should you have any questions related to this bill, please contact Mr. Todd Loftin, Interim Executive Director of Special Education Services, at (405) 522-3237 or Ms. Carolyn Thompson, Chief of Government Affairs, at (405) 522-3520.

New Law at: 36 O.S. 6060.21, 6060.22, 56 O.S. 1011.12  
Amendment to: 36 O.S. 6060.20



## H.B. 2965

RE: H.B. 2965  
SUBJECT: Child Abuse

House Bill 2965 becomes effective November 1, 2016. This bill expands the provisions regarding reporting of child abuse.

Current law requires every person who has reason to believe that a child under the age of 18 is a victim of abuse or neglect to report the matter promptly to the Department of Human Services.

- Section 1(B)(4): Clarifies that the obligation is upon the individual and adds governing body to the list of those that cannot interfere with the reporting obligation of the individual or in any manner discriminate or retaliate against the employee or other person who in good faith reports suspected child abuse or neglect or provides testimony in a proceeding involving child abuse or neglect.
  - Any governing body or entity (or employer, supervisor or administrator) that discharges, discriminates or retaliates against the employee or other person reporting is liable for damages, costs and attorney fees.
  - If a child is harmed as a result of the discharge, discrimination or retaliation, the party harmed may file an action to recover damages, costs and attorney fees.

Should you have any questions related to this bill, please contact Ms. Shelly Ellis, Executive Director of Counseling, at (405) 521-3549 or Ms. Carolyn Thompson, Chief of Government Affairs, at (405) 522-3520.

Amendment to: 10A O.S. 1-2-101



## H.B. 2967

RE: H.B. 2967

SUBJECT: Teacher contracts

House Bill 2967 becomes effective July 1, 2016. This bill allows for student teachers to receive stipends or signing bonuses under certain circumstances.

- Section 1(K): Gives authority to district boards of education to enter into written contracts for employment for the ensuing fiscal year with student teachers.
  - Student teachers are not allowed to teach in a classroom during the ensuing fiscal year until meeting or completing all of the requirements for certification. If a student teacher has not obtained valid certification by the first day of the ensuing school year, the contract is terminated.
  - A district board has the authority to commit to pay a stipend or signing bonus to a student teacher while that person is a student teacher, if they have entered into a written contract for the ensuing fiscal year.
    - Any such bonus is conditional on the student teacher fulfilling the first year of their contract for the ensuing fiscal year.
    - Any bonus is not considered compensation for purposes of retirement or the minimum salary schedule.

Should you have any questions related to this bill, please contact Ms. Lynn Jones, Executive Director of Accreditation, at (405) 521-6638 or Ms. Carolyn Thompson, Chief of Government Affairs, at (405) 522-3520.

Amendment to: 70 O.S. 6-101

Helpful Statutory References: 70 O.S. 1-116, 6-190



## H.B. 2969

RE: H.B. 2969

SUBJECT: Accreditation standards

House Bill 2969 becomes effective August 25, 2016. This bill requires new accreditation standards for educational services provided off site.

- Section 1(E): Requires standards for accreditation adopted by the State Board of Education to include standards relating to the provision of educational services provided in partial hospitalization programs, day treatment programs, day hospital programs, residential treatment programs and emergency shelter programs for individuals between the ages of three and 21.
  - Such standards apply to onsite and offsite educational services provided by public school districts or state-accredited private schools.
  - The standards must provide for warnings, probation or nonaccredited status for a school failing to meet the standards.
  - Requires each school required to provide educational services to be actively monitored by the State Department of Education for compliance.
  - Upon complaint of failure to provide educational services, the Department must investigate within 10 days of receiving the complaint. If it is determined that the school has failed to comply, the Department is to report the recommended warning, probation or nonaccredited status to the State Board of Education within 60 days.
  - If a school does not take action to comply with the standards within 90 days after a report is filed by the Department, the Board must withdraw accreditation for the school.

Should you have any questions related to this bill, please contact Ms. Lynn Jones, Executive Director of Accreditation, at (405) 521-6638, Mr. Todd Loftin, Interim Executive Director of Special Education Services, at (405) 522-3237, or Ms. Carolyn Thompson, Chief of Government Affairs, at (405) 522-3520.

Amendment to: 70 O.S. 3-104.4



## H.B. 2971

RE: H.B. 2971

SUBJECT: Child Welfare Review Committee for the Death and Near Death of Children with Disabilities

House Bill 2971 becomes effective July 1, 2016. This bill creates the Child Welfare Review Committee for the Death and Near Death of Children with Disabilities.

- Section 1: Creates the Child Welfare Review Committee for the Death and Near Death of Children with Disabilities until December 31, 2018.
  - The purpose of the committee is to study the cases of the death and near death of children with disabilities who have previous child welfare involvement with or are in the custody and care of the Department of Human Services (DHS).
  - The committee includes 10 members including the Superintendent of Public Instruction, or a designee.
  - Appointments to the committee are to be made by September 1, 2016, and an organizational meeting is to be conducted by October 1, 2016.
  - The committee is directed to meet at least quarterly and will be supported by the Oklahoma Commission on Children and Youth and the Department of Human Services.
  - The committee is to issue a report of its findings to the Legislature and Governor by December 1, 2018.
- Section 2: Directs that juvenile court records and DHS records pertaining to the child may be inspected and disclosed without a court order by any member of the committee.

Should you have any questions related to this bill, please contact Mr. Todd Loftin, Interim Executive Director of Special Education Services, at (405) 522-3237 or Ms. Carolyn Thompson, Chief of Government Affairs, at (405) 522-3520.

New Law at: 10A O.S. 1-10-103

Amendment to: 10A O.S. 1-6-103



## H.B. 3025

RE: H.B. 3025

SUBJECT: Alternative placement teaching certificates

House Bill 3025 becomes effective November 1, 2016. This bill adds to the list of those teaching candidates that may make application for the alternative certification teaching program.

- Section 1(A)(1): Adds to the list of those teaching candidates, who have made application to and having met the following criteria, the State Board of Education is directed to grant an alternative placement teaching certificate to:
  - A candidate who has successfully completed a terminal degree, or
  - A candidate holding at least a baccalaureate degree and has qualified work experience in a field that corresponds to an area of certification.
    - “Terminal degree” is defined to include a doctorate of philosophy, a doctorate in education, professional doctorates, a master of fine arts degree or a master of library science degree, from an institution accredited by a national or regional accrediting agency recognized by the U.S. Department of Education. The Oklahoma State Regents for Higher Education must be consulted to verify other terminal degrees.
  - All candidates for alternative placement certification must have demonstrated competency *or* completed a major in a field that corresponds to an area of specialization for an Elementary-Secondary Certificate or a Secondary Certificate as determined by the State Board of Education,
    - Or demonstrated competency in a field that corresponds to an area of specialization for a vocational-technical certificate as recommended by the Oklahoma Department of Career and Technology Education.
- Section 1(A)(2): Directs the State Board of Education to determine not only the subject matter for the professional education component of an alternative placement teaching program, but also the number of clock or semester hours required. The Board is directed to establish a core minimum of six semester hours/90 clock hours and a maximum of 18 semester hours/270 clock hours.

\*NOTE: H.B. 3102 also amends 70 O.S. 6-122.3

Should you have any questions related to this bill, please contact Mr. Jeff Smith, Executive Director for Teacher Certification, at (405) 521-3337 or Ms. Carolyn Thompson, Chief of Government Affairs, at (405) 522-3520.

Amendment to: 70 O.S. 6-122.3



## **H.B. 3102**

RE: H.B. 3102

SUBJECT: Alternative placement teaching certification and programs

House Bill 3102 becomes effective July 1, 2016. This bill changes the number of hours an adjunct teacher is authorized to teach.

Current law directs the State Board of Education to promulgate rules authorizing adjunct teachers who are to be persons with distinguished qualifications in their field and not required to meet standard certification.

- Section 1(F): Changes the limitation on the number of clock hours an adjunct teacher can teach per semester from 90 to 270 hours.

\*NOTE: H.B. 3025 also amends 70 O.S. 6-122.3

Should you have any questions related to this bill, please contact Ms. Lynn Jones, Executive Director of Accreditation, at (405) 521-6638, Ms. Heather Butler, Director of School Personnel, at (405) 521-3360 or Ms. Carolyn Thompson, Chief of Government Affairs, at (405) 522-3520.

Amendment to: 70 O.S. 6-122.3



## H.B. 3103

RE: H.B. 3103

SUBJECT: School district boards of education

House Bill 3103 becomes effective August 25, 2016. This bill allows for at-large appointments to school boards in certain cases and makes several changes to the statutory provisions regarding board members not completing required instruction and continuing education hours.

- Section 1(D): Allows for a school board to fill an open position on the board by appointment if the seat remains vacant after the close of the candidate filing period.
  - Persons appointed under this provision are not required to reside in the board or election district, but instead are required to reside in the school district at large. Appointees must meet other eligibility qualifications needed to be a candidate.
  - Persons appointed under this provision are only eligible to serve for the balance of the term to which they were appointed.
- Section 2(D): Requires school boards to declare the seat of a school board member vacant if the school board member has not completed the *required hours of instruction within 15 months of election, reelection or appointment*.
  - The school board must declare the seat vacant within 30 days of the date of receipt of notice that the member has not completed the requirements.
  - School board members vacating a seat under this provision are ineligible to be reappointed to, to run for reelection to, or *to hold*, the seat being vacated or any other seat for either a three-, four- or five-year period depending on the board's terms.
- Section 2(E): Eliminates the requirement that the State Department of Education issue a certificate of completion for each board member successfully completing a workshop, instead requiring the Department to maintain a permanent record of the instruction hours and continuing education hours earned for each member.
- Section 3(D): Requires school boards to declare the seat of a school board member vacant if the school board member has not completed the *continuing education requirements prior to the date set for filing for reelection*.

- The school board must declare the seat vacant within 30 days of the date of receipt of notice that the member has not completed the requirements.
- School board members vacating a seat under this provision are ineligible to be reappointed to, to run for reelection to, or *to hold*, the seat being vacated or any other seat for either a three-, four- or five-year period depending on the board's terms.
- Section 4: Requires the State Board of Education to notify any school board members who have not completed the continuing education requirements by mail of any final opportunities to complete the requirements before March 1 of each year.
  - Upon determining that a school board member did not complete the requirements within the respective period of time, the Board is required to immediately notify the school district board of education and the school district superintendent by certified mail that the school board member did not complete the requirements and that the board is required to the declare the seat of that member vacant.

Should you have any questions related to this bill, please contact Ms. Lynn Jones, Executive Director of Accreditation, at (405) 521-6638 or Ms. Carolyn Thompson, Chief of Government Affairs, at (405) 522-3520.

Amendment to: 26 O.S. 13A-110, 70 O.S. 5-110, 5-110.1, 5-110.2  
Helpful Statutory References: 26 O.S. 13A-106, 70 O.S. 5-113



## **H.B. 3109**

RE: H.B. 3109

SUBJECT: School district employment contracts

House Bill 3109 becomes effective August 25, 2016. This bill requires employees to be presented an employee information worksheet each year.

- Section 1(B): Requires school districts to annually provide each teacher and administrator a copy of an employee information worksheet prior to the first payroll in September containing employee, salary and benefits information as is required to be included in contracts for employment (See Section 1(A) of 70 O.S. 6-101.6).
  - School districts must designate one or more persons to review the worksheet with any teacher or administrator upon request to answer questions.

NOTE: H.B 3109 was subsequently amended by H.B. 1065.

Should you have any questions related to this bill, please contact Ms. Lynn Jones, Executive Director of Accreditation, at (405) 521-6638 or Ms. Carolyn Thompson, Chief of Government Affairs, at (405) 522-3520.

Amendment to: 70 O.S. 6-101.6



## H.B. 3114

RE: H.B. 3114

SUBJECT: Empowering Teachers to Lead Act

House Bill 3114 becomes effective November 1, 2016. This bill creates the Empowering Teachers to Lead Act creating a leadership framework under which districts may apply to participate.

- Section 2(A): Sets up the Empowering Teachers to Lead framework for teacher career paths, leadership roles and compensation requirements and defines the following roles:
  - “Initial teacher” is defined to mean a teacher who has completed teacher residency and received intensive supervision or mentoring, sufficient collaboration time, and frequent observation, evaluation and professional development opportunities.
  - “Career teacher” is defined to mean a teacher who has met the criteria required in the Teacher and Leader Effectiveness (TLE) Evaluation system and has completed the initial teacher mentoring and comprehensive evaluation, has demonstrated competencies of a career teacher, and participates in teacher professional development demonstrating continuous improvement.
  - “Model teacher” is defined to mean a teacher who has met the requirements of career teacher, meets any requirements established by the school district, is evaluated as demonstrating the competencies of a model teacher and participated in a rigorous review process.
    - Model teachers must be recommended by a district-based review council for a one-year assignment.
    - Model teachers will receive teaching contracts that exceed the terms of career teachers by five additional contract days to be used to strengthen instructional leadership.
    - Model teachers receive an annual salary supplement of at least \$1,500.
  - “Mentor teacher” is defined to mean a teacher who has been evaluated by the district as demonstrating the competencies and superior teaching skills of a mentor teacher, has a minimum of five years of experience as a classroom

teacher, demonstrates continuous improvement and possesses the skills and qualifications to assume leadership roles.

- Mentor teachers must be recommended by a district-based review council for a one-year assignment.
  - Mentor teachers will carry a teaching load of not more than 75% for student instruction to allow the teacher to mentor other teachers.
  - Mentor teachers will receive teaching contracts that exceed the terms of career teachers by 10 additional contract days to be used to strengthen instructional leadership.
  - Model teachers receive an annual salary supplement of at least \$3,000.
- “Lead teacher” is defined to mean a teacher who has a minimum of five years of experience as a classroom teacher and has completed a mentor or coaching training program.
- Lead teachers must be recommended by a district-based review council for a one-year assignment. The recommendation must assert that the teacher possesses superior teaching skills and the ability to lead adult learners.
  - Lead teachers may assume roles that include planning and delivery of professional development, facilitation of an instructional leadership team, the mentoring of other teachers and the evaluation of student teachers.
  - Mentor teachers will carry a teaching load of not more than 50% student instruction to allow the teacher to spend time on coaching, co-planning, peer reviews, observation and other duties as assigned.
  - Mentor teachers will receive teaching contracts that exceed the terms of career teachers by 15 additional contract days to be used to strengthen instructional leadership.
  - Model teachers receive an annual salary supplement of at least \$5,000.
- Section 2(B): Salary supplements for teachers in leadership roles must fully cover the salary costs of the additional contract days required. Teachers in leadership roles will only receive the supplement for the time they are serving in that role.
  - Section 2(C): Directs districts approved to implement the prescribed framework or a comparable framework to appoint a district-based review council to be composed of both teachers and administrators.

- The council will receive applications and make recommendations utilizing measures of teacher effectiveness and professional growth, consider the needs of the district and review performance and professional development of the applicants.
- The council will review appointments at least annually to review feedback on the effectiveness of a teacher's performance based on their role. Any teacher who completes a period of assignment may apply for assignment in a new role.
- Section 2(D): Directs that a teacher may not receive less in compensation than they did prior to the district implementing a leadership framework. National Board Certified teachers will continue to receive their awards as required by law.
- Section 2(E): Districts may apply to the Department for approval to implement the prescribed framework or a comparable framework. The Department will establish application deadlines and requirements.
  - If a previously approved district wishes to make changes to the framework or comparable system, they must apply to the Department prior to May 1 of the preceding school year.
  - If a previously approved district wishes to opt out of implementation of the framework or comparable system, they must notify the Department of intent to withdraw by March 15 of the preceding school year.
- Section 2(G): The prescribed framework or a comparable system must apply to teachers in every school site within those districts approved for implementation.
- Section 2(H): Directs the Department to provide for planning grants for districts to design an implementation strategy for the prescribed framework or comparable system, subject to the appropriation of funds or availability of federal funds.
- Section 2(I): Directs the Department to prepare an annual report with any recommendations for changes the framework and which is to include information on teacher retention, compensation, academic quality of beginning teachers, evaluation results, student achievement trends and comparative data for those district implementing the framework.
- Section 2(J): Gives the State Board of Education the authority to award teacher leadership supplemental grants to districts to implement the prescribed framework or a comparable framework, subject to the appropriation of funds or the availability of federal funds. Monies provided through supplemental grants may not be combined with regular wages to create a combined salary.
- Section 3: Directs comparable systems of career paths and compensation to include at minimum:

- Increased support for new teachers and career teachers, differentiated multiple leadership roles beyond initial and career teacher, a rigorous selection process for placement into and retention in teacher leadership roles and a professional development system aligned with professional development standards adopted by the Board.

Should you have any questions related to this bill, please contact Dr. Robyn Miller, Deputy Superintendent for Educator Effectiveness and Policy Research, at (405) 521-3332 or Ms. Carolyn Thompson, Chief of Government Affairs, at (405) 522-3520.

New Law at: 70 O.S. 6-301, 6-302, 6-303

Helpful Statutory References: 70 O.S. 6-101.3



## **H.B. 3115**

RE: H.B. 3115  
SUBJECT: Textbooks

House Bill 3115 becomes effective July 1, 2016. This bill expands the definition of “textbook.”

- Section 1(C): Eliminates from the definition of “textbook:” “Technology based materials do not include the equipment required to make use of those materials.” This deletion effectively expands the definition of textbook to include the equipment required to make use of textbooks, technology-based and other educational materials.

Should you have any questions related to this bill, please contact Dr. Jeanene Barnett, Executive Director of Curriculum and Instruction, at (405) 522-3521 or Ms. Carolyn Thompson, Chief of Government Affairs, at (405) 522-3520.

Amendment to: 70 O.S. 16-102

Helpful Statutory References: 70 O.S. 16-101 through 16-124



## **H.B. 3206**

RE: H.B. 3206

SUBJECT: General Appropriations

House Bill 3206 becomes effective September 1, 2016. This bill requires OMES to make a report of the General Revenue Cash-flow Reserve Fund.

- Section 1: Requires the Office of Management and Enterprise Services (OMES) to analyze and submit to the State Board of Equalization by the first Monday of December, the amount of monies remaining in the General Revenue Cash-flow Reserve Fund that are not needed for the current year cash-flow and are available for legislative appropriation.
  - The purpose of the General Revenue Cash-flow Reserve Fund is to make cash available for July cash allocations.

Should you have any questions related to this bill, please contact Ms. Mathangi Shankar, Chief Financial Officer, at (405) 522-0162 or Ms. Carolyn Thompson, Chief of Government Affairs, at (405) 522-3520.

Amendment to: 62 O.S. 34.54



## H.B. 3218

RE: H.B. 3218  
SUBJECT: Education

House Bill 3218 becomes effective July 1, 2016. This bill directs a new system of assessment, graduation requirements and accountability to be studied, developed and implemented.

### **Sections 1-2: Definition of a Teacher**

- Section 1(1): Removes from the definition of “teacher” those employed to serve as district superintendent, principal, supervisor, school nurse, or in any other supervisory or administrative capacity.
- Section 1(4): Defines “teachers,” for the purposes of State Aid Law for apportionment of money based on teaching units or number of teachers employed or qualified, but not any other provision of law, as all persons holding proper certificates and connected in any capacity with instruction.
- Section 2(8): Eliminates the existing definition of “teacher” as it is used in statutes regarding Teacher and Leader Effectiveness (TLE) and employment contracts, replacing it with the definition from Section 1.

### **Sections 3-4: Administration of Statewide Student Assessment System**

- Section 3: Eliminates all references to “test” replacing the term with “assessment.”
- Section 3(F): Directs the State Board of Education, if implementing an electronic delivery system for assessments, to continue to administer all assessments by another means, including but not limited to printed assessments. States that school districts have the authority to select the means of administration of all assessments.
- Section 4(A): The Board, by December 31, 2016 must adopt a statewide system of student assessments in compliance with the Every Student Succeeds Act (ESSA).
  - The assessment system must be aligned with the Oklahoma Academic Standards (OAS).

- Section 4(B): Directs the Board to issue a request for proposals for the assessments. Assessments are to be administered for a period that is in coordination with the six-year subject area textbook adoption cycle.
- Section 4(C): The statewide student assessment system must include assessments that:
  - Are aligned to the subject matter standards,
  - Provide a measure of comparability among other states,
  - Yield both norm-referenced and criterion-referenced scores,
  - Have a track record of statistical reliability and accuracy, and
  - Provide a measure of future academic performance for assessments administered in high school.
- Section 4(D): For the 2016-2017 school year, assessments are to be administered in:
  - English Language Arts/Reading and Mathematics in grades 3-8 and at least once in grades 9-12,
  - Science at least once in grades 3-5, 6-9, and 10-12, and
  - U.S. History at least once in grades 9-12.
- Section 4(E): For the 2017-2018 school year, assessments are to be administered in:
  - English Language Arts/Reading and Mathematics in grades 3-8 and at least once in grades 9-12,
  - Science at least once in grades 3-5, 6-9, and 10-12,
  - U.S. History at least once in grades 9-12,
  - Assessments may be administered in Reading and Writing in certain grades as determined by the Board, and
  - A nationally recognized college- and career-readiness assessment (CCRA) may be administered at no cost to the student as recommended by the State Department of Education and contingent on the availability of funds.

- Section 4(F): For students entering the ninth grade in the 2017-2018 school year:
  - Each student must take the assessments included in the statewide student assessment system in order to graduate with a standard diploma, unless otherwise exempt by law.
  - In addition, they must meet any other high school graduation requirements adopted by the Board.
- Section 4(F)(3): For students entering the ninth grade in the 2016-2017 school year, districts must adopt a plan that establishes the assessment or assessments students are required to take in order to graduate with a standard diploma. The plan may include any or all of the requirements that the Board ultimately adopts.
- Section 4(F)(4): Directs the Board to promulgate rules to ensure students transferring to Oklahoma from out-of-state after their junior year of high school are not denied the opportunity to graduate due to differing testing requirements.
- Section 4(G): School districts must report on the high school transcript the highest-achieved score on the assessment(s) included in the statewide student assessment system adopted for the 2017-2018 school year and any business-or industry-recognized endorsements.
- Section 4(H): Students who do not perform at a proficiency level on assessments are to be remediated according to requirements adopted by the Board and subject to the availability of funds.
- Section 4(I): Requires the Board to ensure preliminary assessment results are reported to districts no later than June 1 of each year. Requires the Board to ensure the data yielded from the assessments are used by school districts to inform instruction, professional development, school improvement and remediation for students.
- Section 4(J): Directs the Board to promulgate rules to set the assessment windows for each assessment such that results are reported back to districts in a timely manner. Eliminates the requirement that assessments be administered no earlier than April 10 of each year. Requires the vendor to provide final electronic data of all school site, district and state results to the State Department of Education and the Office of Educational Quality and Accountability prior to August 1 of each year.
- Section 4: Repeals all language regarding criterion-referenced tests administered in grades 3-12, including the requirement for districts to administer a fine arts assessment.

## Section 5: Study and Development of Assessment Requirements

- Section 5(A): Directs the Board in consultation with the State Regents for Higher Education, the Commission for Educational Quality and Accountability, the State Board of Career and Technology Education and the Secretary of Education and Workforce Development to study and develop assessment requirements. The study shall include:
  - Establishment of a multimeasures approach to high school graduation which may include designated statewide assessments, alternative assessments, local performance assessments, nationally recognized assessments, assessment performance bands, grades and course records;
  - Determination of the performance level at which students will be provided remediation or intervention and the type of remediation or intervention;
  - Establishment of a means for ensuring student accountability on the assessments, which may include calculating assessment scores in the final grade or grade-point average of the student;
  - Ways to make the testing program more efficient and effective, including consideration of combining different subject area assessments into one, combining different grade-level assessments into one or adding additional subject area assessments; and
  - Establishment of a multimeasures approach to accountability in accordance with ESSA including the following indicators:
    - Statewide assessments including establishment of student performance bands,
    - Graduation rates
    - Statewide academic measures for elementary and middle schools,
    - English language proficiency for English learners, and
    - At least one additional statewide measure of school quality or student success, which may include school climate, school safety, student engagement, educator engagement, advanced coursework and postsecondary readiness.
- Section 5(B): The Board must provide reasonable opportunity for public comment, including comments from students, parents, educators, organizations representing students with disabilities and English language learners, higher education representatives, career technology education representatives, experts in the areas of assessments and

accountability, community-based organizations, Indian tribal representatives and business community representatives.

- Section 5(C)(1): The Board must make a report of the study by October 31, 2016.

### **Section 5(C): Legislative Approval of the Study**

- Section 5(C): The board is directed to adopt the assessment requirements as studied and developed by January 1, 2017, provided assessment requirements may not be implemented until the legislative review process is complete.
  - After adoption, on or prior to the first day of the 2017 Legislative Session the Board must submit the adopted requirements to the Speaker of the House and President Pro Tempore of the Senate.
  - Through adoption of a joint resolution, the Legislature must approve or disapprove the assessment requirements in whole, and may do so with or without instructions. If the Governor vetoes the resolution and the veto is not overridden, the requirements are disapproved. If the Legislature fails to adopt a resolution within 30 calendar days following submission of the assessment requirements, the requirements are disapproved.
  - If the requirements are disapproved, the Board may adopt new requirements or revise the submitted requirements and submit them prior to the last 30 calendar days of the legislative session for review. If the requirements are adopted with or without instructions, the Board may implement the requirements.
  - If the requirements are disapproved and the Board does not act to resubmit the requirements, the assessments for 2017-2018 as described in Section 4 are to be administered and the performance level on the assessments are to be calculated in the final grade or grade-point average until otherwise provided by law.
  - Upon approval, the requirements are considered final agency rules.
  - Joint resolutions introduced for these purposes are not subject to regular legislative deadlines and may not contain any other provisions.

### **Sections 6-10: Updates of Statutory References**

- Sections 6-10: Changes references to “criterion-referenced test” to “assessments administered pursuant to Section 1210.508 of this title,” which refers to Section 4 of the bill, and updates references to No Child Left Behind to ESSA.
- Section 10: In regards to report cards required to be published annually, the 2016-2017 and 2017-2018 school year report cards, must include an explanation of the changes to the system of student assessments and how the transition in assessments may impact

school performance. Report cards for 2016-2017 are to be issued using data that is available.

### **Sections 11-12: Repealers**

- Section 11: Repeals Section 1210.506, which refers to the Oklahoma School Testing Program Act, and 1210.508-1, which refers to the Geography test administered in 1999-2000 school year.
- Section 12: Repeals Sections 1210.521, 1210.522, 1210.523, 1210.525 and 1210.526, which establish the “Achieving Classroom Excellence Act of 2005” and the End-of-Instruction criterion-referenced tests.

Should you have any questions related to this bill, please contact Dr. Katie Dunlap, Deputy Superintendent of Assessment and Accountability, at (405) 521-6446, Dr. Cindy Koss, Deputy Superintendent of Academic Affairs and Planning, at (405) 522-6269 or Ms. Carolyn Thompson, Chief of Government Affairs, at (405) 522-3520.

Amendment to: 70 O.S. 1-116, 6-101.3, 1210.507, 1210.508, 1210.508B, 1210.508C, 1210.515, 1210.541, 1210.545

New Law not Codified: Section 5

Repealed: 70 O.S. 1210.506, 1210.508-1, 1210.521, 1210.522, 1210.523, 1210.525, 1210.526



## H.C.R. 1021

RE: H.C.R. 1021

SUBJECT: Dear Colleague Letter on Transgender Students

House Concurrent Resolution 1021 becomes effective May 27, 2016. This resolution states:

- Historically decisions and policies regarding transgender students have been a matter of local control, set by district boards of education.
- The Civil Rights Division of the U.S. Department of Justice and the Office of Civil Rights of the U.S. Department of Education issued a Dear Colleague Letter to districts on May 13, 2016 regarding transgender students which interprets Title IX as requiring schools that have traditional sex-segregated bathrooms and locker rooms to allow access for transgender students consistent with their gender identity.
- The Dear Colleague Letter threatens loss of federal education funding for failure to follow federal guidance on Title IX.
- Therefore, the resolution concludes, “[T]he Dear Colleague Letter...is a blatant example of federal government and executive power overreach, and a misrepresentation of the requirements of Title IX and an infringement upon states’ rights and the rights of parents and students.”
- “[T]he Oklahoma Legislature supports the Attorney General...in taking whatever action is necessary to protect Oklahoma students, parents and school districts from the effects of the Dear Colleague Letter...and from overreach of the federal government in the application of Title IX to transgender students and gender identity.”
- “[T]he Oklahoma Legislature calls for the Superintendent of Public Instruction...and the State Board of Education for the State of Oklahoma to instruct district boards of education...that they may disregard the Dear Colleague Letter on Transgender Students and instead adopt or continue enforcing their own policies to provide a safe and respectful learning environment for all students.”

NOTE: A Concurrent Resolution does not have the force of law, and is used to express the non-binding intent of the Legislature.

Should you have any questions related to this bill, please contact Mr. David Kinney, General Counsel, at (405) 521-4352 or Ms. Carolyn Thompson, Chief of Government Affairs, at (405) 522-3520.



## **S.B. 911**

RE: S.B. 911

SUBJECT: Discipline in schools

Senate Bill 911 becomes effective August 25, 2016. This bill allows for districts to include campus-site service in their discipline policy.

Current law requires each district board of education to adopt a policy for discipline of all children attending public school in that district.

- Section 1(F): Allows district boards of education to have the option of adopting a procedure that requires students to perform campus-site service for violating the district's policy.

Should you have any questions related to this bill, please contact Ms. Lynn Jones, Executive Director of Accreditation, at (405) 521-6638 or Ms. Carolyn Thompson, Chief of Government Affairs, at (405) 522-3520.

Amendment to: 70 O.S. 24-100.4



## **S.B. 912**

RE: S.B. 912

SUBJECT: Administrative Procedures Act requirements

Senate Bill 912 becomes effective November 1, 2016. This bill requires agencies to include a statement of the gist of the rule when submitting them for approval and publication.

- Section 1: Requires agencies filing new finally adopted rules with the Secretary of State to include in plain language, a statement of the gist of the rule.
- Section 2: Requires the report of newly adopted agency rules to include a statement of the gist of the rule when submitting copies to the Governor, Speaker of the House and President Pro Tempore of the Senate.

Should you have any questions related to this bill, please contact Ms. Lori Murphy, Assistant General Counsel, at (405) 522-5260 or Ms. Carolyn Thompson, Chief of Government Affairs, at (405) 522-3520.

Amendment to: 75 O.S. 251, 303.1



## S.B. 929

RE: S.B. 929

SUBJECT: Creating the 2016 Workforce Oklahoma Academic High School Diploma Recognition Act

Senate Bill 929 becomes effective August 25, 2016. This bill creates the “2016 Workforce Oklahoma Academic High School Diploma Recognition Act.”

- Section 1(B): Beginning with the 2020-2021 graduating class, a school district *may* adopt graduation recognitions for students who have participated in an approved program of study leading to a recognized career and/or postsecondary education pathway and met the state curricular requirements. Recognitions are as follows:
  - “Recognition of highest academic distinction” – cumulative grade point average of 3.75+ on a 4.0 scale for coursework performed in their career pathway and met state-recognized college entrance requirements;
  - “Recognition of academic honors” – cumulative grade point average of 3.5+ on a 4.0 scale for coursework performed in their career pathway and met state-recognized college entrance requirements; and
  - “Recognition of academic merit” – cumulative grade point average of 3.0+ on a 4.0 scale for coursework performed in their career pathway and met state-recognized college entrance requirements.
- Section 1(C): Recognitions *may* be indicated on the diploma or high school transcript for qualifying students.
- Section 1(D): “Approved programs of study” are defined to mean those programs identified by the local school district that include a sequence of courses leading to career entry and/or postsecondary education. Course sequences must include at least six credits within a career pathway and include advanced placement courses, career and technical science, technology, engineering and mathematics (STEM) courses, concurrent enrollment courses or a combination of courses that prepare students for work or further study in a career pathway of their choice.
- Section 1(E): Directs the State Board of Education and the State Board of Career and Technology Education to promulgate rules for implementation.

Should you have any questions related to this bill, please contact Ms. Shelly Ellis, Executive Director Counseling, at (405) 521-3549 or Ms. Carolyn Thompson, Chief of Government Affairs, at (405) 522-3520.

New Law at: 70 O.S. 11-103.61

Helpful Statutory References: 70 O.S. 11-103.6d



## S.B. 933

RE: S.B. 933  
SUBJECT: Schools

Senate Bill 933 becomes effective July 1, 2016. This bill extends provisions regarding the moratorium of accreditation penalties and flexibility of textbook funding.

Current law requires the State Board of Education to adopt standards for the accreditation of public schools.

- Section 1(G): Provides that accreditation is not to be withdrawn from or denied, nor a penalty assessed, against a school or district for failing to meet the media materials and equipment standards and media program expenditure standards until the next fiscal year following a fiscal year that the weighted average daily membership (WADM) is equal to or more than \$3,291.60 on the initial tentative State Aid allocation notice.
  - Directs that if, in a fiscal year following a year when the WADM is equal to or more than \$3,291.60, the WADM is reduced by 1% or more on the initial tentative State Aid allocation notice, then the moratorium on penalties will continue to be in effect.
- Section 1(H): Provides that financial penalties not be assessed against any school district that is given a deficiency in accreditation status until the next fiscal year following a fiscal year that the weighted average daily membership (WADM) is equal to or more than \$3,291.60 on the initial tentative State Aid allocation notice.
  - Directs that if, in a fiscal year following a year when the WADM is equal to or more than \$3,291.60, the WADM is reduced by 1% or more on the initial tentative State Aid allocation notice, then the moratorium on penalties will continue to be in effect.
- Section 2: Directs the State Board of Education to exempt school districts from any policies, rules or laws that require them to form, convene, or participate in any advisory council or committee, including committees required to convene for preparing a school improvement plan, until the next fiscal year following a fiscal year that the weighted average daily membership (WADM) is equal to or more than \$3,291.60 on the initial tentative State Aid allocation notice.

- Directs that if, in a fiscal year following a year when the WADM is equal to or more than \$3,291.60, the WADM is reduced by 1% or more on the initial tentative State Aid allocation notice, then the moratorium on committees will continue to be in effect.
- Section 3: Directs that school districts electing to spend funds appropriated for textbooks for a different purpose, as allowed by Section 4, not be required to appoint a local textbook committee, adopt textbooks, submit a textbook plan or spend money on the purchase of textbooks until the next fiscal year following a fiscal year that the weighted average daily membership (WADM) is equal to or more than \$3,291.60 on the initial tentative State Aid allocation notice.
  - Directs that if, in a fiscal year following a year when the WADM is equal to or more than \$3,291.60, the WADM is reduced by 1% or more on the initial tentative State Aid allocation notice, then the moratorium on textbook requirements will continue to be in effect.
- Section 4: Directs that school districts seeking flexibility for the use of state-appropriated funds for textbooks be required to demonstrate to the State Board of Education that the textbooks and instructional materials being used for the subject areas under consideration in the current textbook adoption cycle are current and appropriate for student learning. The State Board of Education is required to approve funding flexibility requests before districts expend textbook funds for other purposes.

Should you have any questions related to this bill, please contact Ms. Lynn Jones, Executive Director of Accreditation, at (405) 521-6638, Ms. Renee McWaters, Executive Director of State Aid, at (405) 521-3460 or Ms. Carolyn Thompson, Chief of Government Affairs, at (405) 522-3520.

Amendment to: 70 O.S. 3-104.4, 3-167, 6-111, 6-114a  
 Helpful Statutory References: 70 O.S. 18-200.1, 5-117.4



## **S.B. 1004**

RE: S.B. 1004

SUBJECT: School dropout reports

Senate Bill 1004 becomes effective July 1, 2016. This bill changes the requirement to provide dropout reports from quarterly to annually.

- Section 1: Requires each superintendent or head teacher of each public or private middle, junior high and high school accredited by the State Department of Education to report the name, address, race and age of any student dropping out during the preceding year on an annual basis, changed from a quarterly basis.

Should you have any questions related to this bill, please contact Ms. Lynn Jones, Executive Director of Accreditation, at (405) 521-6638 or Ms. Carolyn Thompson, Chief of Government Affairs, at (405) 522-3520.

Amendment to: 70 O.S. 35e



## **S.B. 1030**

RE: S.B. 1030

SUBJECT: Oklahoma Multi-year Revenue and Expenditure Projection Act

Senate Bill 1030 becomes effective May 16, 2016. This bill creates Oklahoma Multi-year Revenue and Expenditure Projection Act.

Current law requires each state agency to submit an itemized request showing the amount of funding needed for the ensuing fiscal year by the first day of October of each year.

- Section 3: Requires appropriated agencies to make an itemized estimate of needs for the ensuing fiscal year and the following two fiscal years, and an estimate of revenues from all sources to be received during the ensuing fiscal year and the following two years.
- Section 4: Requires the subcommittees of the House and Senate appropriations committees to establish performance measures for each spending agency under its jurisdiction. The measures are to be developed in order to allow the Legislature and Governor to obtain measureable data to determine if the agency is performing its duties in the most cost-effective manner possible.
  - Each spending agency is to submit analysis reports as required by the subcommittee in order to enable the subcommittee to make a determination as to whether or not the agency has met the established performance measures.

Should you have any questions related to this bill, please contact Ms. Mathangi Shankar, Chief Financial Officer, at (405) 521-3349 or Ms. Carolyn Thompson, Chief of Government Affairs, at (405) 522-3520.

Amendment to: 62 O.S. 34.2, 34.36, 34.95, 49



## **S.B. 1036**

RE: S.B. 1036

SUBJECT: Confidential school personnel information

Senate Bill 1036 becomes effective July 1, 2016. This bill allows for names of district personnel designated to carry a firearm to be kept confidential.

Current law allows for certain personnel information to be kept confidential.

- Section 1(A)(10): Adds to the list of confidential information the names of school district personnel who have been designated by the board to carry a firearm.

Should you have any questions related to this bill, please contact Ms. Lynn Jones, Executive Director of Accreditation, at (405) 521-6638 or Ms. Carolyn Thompson, Chief of Government Affairs, at (405) 522-3520.

Amendment to: 51 O.S. 24A.28

Helpful Statutory References: 70 O.S. 5-149.2



## **S.B. 1038**

RE: S.B. 1038

SUBJECT: Creating the Teaching Certification Scholarship Program

Senate Bill 1038 becomes effective January 1, 2017. This bill creates the Teaching Certification Scholarship Program.

- Section 1: Directs the Commission for Educational Quality and Accountability (OEQA) to establish the Teaching Certification Scholarship Program. The purpose of the program is to provide qualifying teacher candidates seeking certification with a scholarship toward the cost of competency exams, subject to the availability of funds.
  - Directs the Commission to establish eligibility criteria for the program.
  - Scholarships are limited to one per teacher candidate.
  - A teacher candidate accepting a scholarship is required to commit to a minimum of one year in an accredited school district in Oklahoma. If the teacher does not fulfill the commitment upon receiving certification, he/she will be required to reimburse the Commission for the full amount of the scholarship.
- Section 2: Creates the “Teacher Certification Scholarship Revolving Fund” to receive monies appropriated by the Legislature and any donations, grants and gifts from any public or private source. Monies are to be expended for the purpose of implementing the Program.
- Section 3: Directs the Commission to promulgate rules for implementation.

Should you have any questions related to this bill, please contact Dr. Robyn Miller, Deputy Superintendent for Educator Effectiveness and Policy Research, at (405) 521-3332 or Ms. Carolyn Thompson, Chief of Government Affairs, at (405) 522-3520.

New Law at: 70 O.S. 6-187B, 6-187C, 6-187D

Helpful Statutory References: 70 O.S. 6-187



## **S.B. 1057**

RE: S.B. 1057

SUBJECT: Unlawful carry in certain places

Senate Bill 1057 becomes effective November 1, 2016. This bill makes changes to places where it is unlawful to carry a concealed or unconcealed handgun.

Current law lists certain places where it is unlawful for any person with a valid handgun license to carry a concealed or unconcealed handgun.

- Section 1(A)(4): Clarifies that this list includes any publicly owned or operated sports arena or venue during a professional sporting event, unless allowed by the event holder.
- Section 2(D): Clarifies that carrying a concealed or unconcealed firearm *may* be prohibited in the following places:
  - Any public property sports field, including any adjacent seating or area set aside for viewing, where an elementary or secondary school, collegiate, or professional sporting event or an International Olympic Committee event is being held.

Should you have any questions related to this bill, please contact Ms. Lynn Jones, Executive Director of Accreditation, at (405) 521-6638 or Ms. Carolyn Thompson, Chief of Government Affairs, at (405) 522-3520.

Amendment to: 21 O.S. 1277, 1290.22, 1290.24



## **S.B. 1069**

RE: S.B. 1069

SUBJECT: Office of Juvenile Affairs charter school operation

Senate Bill 1069 becomes effective July 1, 2016. This bill authorizes OMES to exempt the Office of Juvenile Affairs from certain statutes conflicting with their ability to operate a charter school.

Current law gives the Office of Juvenile Affairs the authority to serve as the governing body of a charter school.

- Section 1: Gives the Office of Management and Enterprise Services (OMES) the authority to exempt the office of Juvenile Affairs from specific statutes that are in conflict with requirements of operating a charter school. Directs OMES to take any action necessary to assist the Office of Juvenile Affairs in operating a charter school including establishing a special agency account and authorizing a surety bond.

Should you have any questions related to this bill, please contact Ms. Mathangi Shankar, Chief Financial Officer, at (405) 521-3349 or Ms. Carolyn Thompson, Chief of Government Affairs, at (405) 522-3520.

Amendment to: 10A O.S. 2-7-616

Helpful Statutory References: 70 O.S. 5-116a



## **S.B. 1105**

RE: S.B. 1105

SUBJECT: Graduation Requirements

Senate Bill 1105 becomes effective July 1, 2016. This bill allows students who have failed to graduate based on not completing the required coursework, to re-enroll only for those specific units.

- Section 1(Q): Directs that students who have been denied a standard diploma by the school district for failing to meet the requirements of either the college preparatory/work curriculum or the core curriculum may re-enroll in the district that denied the diploma following denial. The student must be provided remediation or intervention and the opportunity to complete the units required. Students who re-enroll for this purpose are exempt from the six-period enrollment requirements.
- Section 2: Directs that for students enrolling for the purpose described in Section 1, State Aid funding is to be calculated based upon the percentage of the total school day in which the student is enrolled. State Aid funding can only be received for the periods necessary to meet the graduation requirements and not for elective courses. (\*Note: This section of law was subsequently repealed by HB 3218.)

Should you have any questions related to this bill, please contact Ms. Shelly Ellis, Executive Director of Counseling, at (405) 521-3549 or Ms. Carolyn Thompson, Chief of Government Affairs, at (405) 522-3520.

Amendment to: 70 O.S. 11-103.6, 1210.526\*

Helpful Statutory References: 70 O.S. 1-111



## **S.B. 1128**

RE: S.B. 1128

SUBJECT: Pension Improvement Act

Senate Bill 1128 becomes effective August 25, 2016. This bill creates the Oklahoma Pension Improvement Revolving Fund to be used for cost-of-living adjustments for retirees.

- Section 2: Creates a revolving fund designated the “Oklahoma Pension Improvement Revolving Fund.” The fund is to be used for the benefit of retired members and beneficiaries of the various retirement systems of the state. Expenditures can only be made to pay for the cost of any legislatively authorized cost-of-living adjustment (COLA) for the retirees or beneficiaries or to reduce the unfunded liabilities of any of the state retirement systems.

Should you have any questions related to this bill, please contact or Ms. Carolyn Thompson, Chief of Government Affairs, at (405) 522-3520.

New Law at: 62 O.S. 254



## **S.B. 1159**

RE: S.B. 1159

SUBJECT: Modifying list of weapons that are unlawful carry

Senate Bill 1159 becomes effective November 1, 2016. This bill eliminates certain weapons from the list of weapons that are unlawful to be carried.

Current law provides a list of weapons that are unlawful to be carried either on a person's body or in another container either concealed or unconcealed. This does not prohibit the carrying of a weapon in a manner authorized by the Oklahoma Self-Defense Act.

- Section 1: Eliminates from the list of weapons that cannot be carried any dagger, bowie knife, dirk knife and sword cane.

Should you have any questions related to this bill, please contact Ms. Lynn Jones, Executive Director of Accreditation, at (405) 521-6638 or Ms. Carolyn Thompson, Chief of Government Affairs, at (405) 522-3520.

Amendment to: 21 O.S. 1272



## **S.B. 1164**

RE: S.B. 1164

SUBJECT: Sports-related injuries

Senate Bill 1164 becomes effective November 1, 2016. This bill makes changes to the requirements for addressing athletes exhibiting signs of a concussion and adds new requirements for game and team officials.

- Section 1(A): Defines “athlete” to mean a secondary-school-age individual who is participating in either a team- or individual-based sport, either outside or within school, and is either competitive or in an organized practice.
  - Defines “health care provider” to mean an individual who is registered, certified, licensed or otherwise recognized by the state to provide medical or psychological treatment and who is trained and experienced in the evaluation, management and care of concussions.
- Section 1(B): Directs the State Department of Health to create a concussion management section on its website to provide guidelines for each school board and youth sports organization to develop their own policies and procedures surrounding concussion/head injury information sheets, “Return to Learn” guidelines, “Graduated Stepwise Return to Athletic Participation” guidelines and links to free online training.
- Section 1(C): Directs each district board of education and youth sports organization/ association to develop policies and procedures regarding the items of Section 1(B) to inform and educate their coaches, game officials, team officials, athletes and parents/guardians of the nature of risk of concussion and head injury.
  - Eliminates the requirement that a concussion/head injury information sheet be completed and returned by the athlete and parent/guardian prior to participation. Instead requires annually, information regarding concussion and head injuries to be disseminated to the athlete and his or her parent/guardian and acknowledgement and understanding of the information to be completed by the athlete and their parent/guardian.
  - Such acknowledgement and understanding is to be maintained by the responsible school or youth sports organization prior to the athlete’s participation in practice or competition.

- Requires game officials and team officials to undergo concussion training each year provided by the CDC, the NFHS or a comparable program or resource. A record of completion of the training course must be readily available upon request.
- Requires any game or team official who becomes aware or suspects an athlete is exhibiting signs, symptoms or behaviors consistent with a concussion or head injury to remove the athlete from practice or competition.
- Once an athlete is removed, the athlete is not permitted to return to the practice or competition from which they were removed or any other practice or competition on the same day unless deemed eligible by a health care provider.
- Provides that a health care provider, game official or team official, whether volunteer or employee, is not liable for civil damages for injury, death or loss to a person or property allegedly arising from any act or omission in providing services or performing duties unless the acts or omissions constitute gross negligence or willful or wanton misconduct.
- Section 1(D): Requires respective governing boards (school district board or youth sports organization) to establish minimum penalties for violations by game and team officials for not completing the required training and for not removing an athlete from practice or competition as described above. Penalties are as follows:
  - First violation – additional concussion recognition and management education as predetermined by the governing board.
  - Second violation – suspension from the sport until appearance before the governing board.
  - Monetary fines may not be considered as a penalty.
- Section 1(E): Directs the Department of Health to promulgate rules for implementation.

Should you have any questions related to this bill, please contact Ms. Sherry Fisher, Director of Health and Physical Education, at (405) 522-4499 or Ms. Carolyn Thompson, Chief of Government Affairs, at (405) 522-3520.

Amendment to: 70 O.S. 24-155



## **S.B. 1268**

RE: S.B. 1268

SUBJECT: Charter Schools

Senate Bill 1268 becomes effective July 1, 2016. This bill corrects a scrivener's error in the Oklahoma Charter Schools Act.

- Section 1(G)(6): Changes the word “designed” to “designated” when referring to charter schools that are implementing an alternative education program throughout the charter school and have been “designated” by the State Department of Education to do so.

Should you have any questions related to this bill, please contact Ms. Lynn Jones, Executive Director of Accreditation, at (405) 521-6638, Dr. Daniel Craig, Regional Accreditation Officer, at (405) 397-2302 or Ms. Carolyn Thompson, Chief of Government Affairs, at (405) 522-3520.

Amendment to: 70 O.S. 3-137



## **S.B. 1269**

RE: S.B. 1269

SUBJECT: College and Career Endorsements

Senate Bill 1269 becomes effective November 1, 2016. This bill directs the State Board of Education to develop college and career endorsements.

- Section 1(A), (B): Directs the State Board of Education, in collaboration with the State Board of Career and Technology Education and the State Regents for Higher Education to develop college and career endorsements to provide distinction and to direct student coursework toward clear pathways. Students may earn an endorsement in any of the following categories:
  - Science, technology, engineering and math (STEM),
  - Business and industry,
  - Public services,
  - Arts and humanities,
  - Multidisciplinary studies, and
  - Any other area as determined by the board.
- Section 1(C): Directs the Board to, in collaboration with representatives of business, labor and industry, specify the curriculum requirements for each endorsement.
- Section 1(D): Applicable courses taken at technology centers may qualify for any of the courses at the discretion of the Board.
- Section 1(E): Directs the Board to develop and implement a mechanism to recognize the endorsements.

Should you have any questions related to this bill, please contact Dr. Cindy Koss, Deputy Superintendent of Academic Affairs and Planning, at (405) 522-6369 or Ms. Carolyn Thompson, Chief of Government Affairs, at (405) 522-3520.

New Law at: 70 O.S. 11-103.6k



## **S.B. 1342**

RE: S.B. 1342

SUBJECT: Taxpayer Transparency Act

Senate Bill 1342 becomes effective January 1, 2017. This bill requires inclusion of federal funds received and expended on the taxpayer transparency website operated by OMES.

Current law requires the Office of Management and Enterprise Services (OMES) to develop and operate a single website accessible by the public to include information on state finances.

- Section 1(B): Adds to the definition of “expenditure of state funds” the disbursement of all federal funds.
- Section 1(C): Requires the website to include aggregate information on federal revenues and expenditures.
- Section 1(F): Requires the website to include data to track the expenditure of federal funds by program beginning with Fiscal Year 17.

Should you have any questions related to this bill, please contact Ms. Mathangi Shankar, Chief Financial Officer, at (405) 522-0162 or Ms. Carolyn Thompson, Chief of Government Affairs, at (405) 522-3520.

Amendment to: 62 O.S. 46



## **S.B. 1357**

RE: S.B. 1357

SUBJECT: Oklahoma Food Service Advisory Council

Senate Bill 1357 becomes effective November 1, 2016. This bill adds a member to the Oklahoma Food Service Advisory Council.

- Section 1: Adds a member to the Oklahoma Food Service Advisory Council, making the total membership 14. The additional member is appointed by the Commissioner of Health, with advice and consent of the State Board of Health, picked from a list of three names provided by an association representing the majority of restaurant owners in the state. The new member is to represent the School Nutrition Association of Oklahoma.

Should you have any questions related to this bill, please contact Ms. Debbie Hamilton, Executive Director of Child Nutrition, at (405) 521-3327 or Ms. Carolyn Thompson, Chief of Government Affairs, at (405) 522-3520.

Amendment to: 63 O.S. 1-106.3



## S.B. 1369

RE: S.B. 1369

SUBJECT: Oklahoma Commission on Children and Youth

Senate Bill 1369 becomes effective November 1, 2016. This bill adds a new requirement for study and annual report of the Oklahoma Commission on Children and Youth regarding homelessness and runaways.

- Section 1(6): Defines “homeless children and youth” to mean a person who is 21 years old or younger and is unaccompanied by a parent/guardian, without shelter with appropriate care and supervision, without a parent/guardian willing and able to provide such shelter and care, or without fixed, regular, or adequate nighttime residence.
  - Fixed, regular, or adequate nighttime residence does not include shelters or institutions providing temporary or transitional accommodations, or a place not designed for and not ordinarily used for regular sleeping accommodations.
- Section 1(7): Defines “runaway” to mean an unmarried child who is under the age of 18 and is absent from the home of a parent/guardian or other lawful placement without consent.
- Section 1(10): Defines “youth at risk of homelessness” to mean a person who is 21 years old or younger who is at significant danger of experiencing homelessness in the near future including youth exiting out-of-home placements, who were previously homeless, whose parents/guardians are or were homeless, who are exposed to abuse and neglect in the home, and who experience excessive conflict with their parents.
- Section 2: Requires the Oklahoma Commission on Children and Youth to include in its annual report recommendations for further development and improvement of services to youth at risk of homelessness and runaways.

Should you have any questions related to this bill, please contact Ms. Gloria Bayouth, Executive Director of Federal Programs, at (405) 521-2846 or Ms. Carolyn Thompson, Chief of Government Affairs, at (405) 522-3520.

Amendment to: 10 O.S. 600, 601.9

Helpful Statutory References: 10 O.S. 601.1 through 601.12



## **S.B. 1380**

RE: S.B. 1380

SUBJECT: Subject Matter Standards

Senate Bill 1380 becomes effective July 1, 2018. This bill makes several changes to the curriculum students are required to complete in order to graduate.

For students completing the college preparatory/work ready curriculum:

- Section 1(B)(3): Of the three units or sets of competencies of laboratory science required, one must be a life science meeting the standards for Biology I, one must be a physical science meeting the standards for Physical Science, Chemistry or Physics and one must be from the domains of physical science, life science or earth and space science with content and rigor above Biology I or Physical Science.
- Section 1(B)(6): Allows for concurrently enrolled courses, Advanced Placement courses or International Baccalaureate courses that are approved for college admission to meet the requirements of “one additional unit or set of competencies.”

For students completing the core curriculum:

- Section 1(D)(5): Reduces units or sets of competencies required for arts from two to one.
- Section 1(D)(6): Adds a core curriculum unit of Computer Education and requires one unit or set of competencies of computer technology, 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.

\*NOTE: These changes will go into effect July 1, 2018, meaning they will affect the class of 2019 (those students entering the 10<sup>th</sup> grade in 2016-2017).

Should you have any questions related to this bill, please contact Dr. Jeanene Barnett, Executive Director of Curriculum and Instruction, at (405) 522-3521 or Ms. Carolyn Thompson, Chief of Government Affairs, at (405) 522-3520.

Amendment to: 70 O.S. 11-103.6



## **S.B. 1431**

RE: S.B. 1431  
SUBJECT: School Improvement

Senate Bill 1431 becomes effective July 1, 2016. This bill updates language regarding requirements for schools listed as in need of improvement to reflect the Every Student Succeeds Act.

Current law requires the State Board of Education to establish a process to identify schools listed as in need of improvement in accordance with federal law.

- Section 1(A): Eliminates intervention models as required under No Child Left Behind. Requires school sites on the identified list to implement a locally developed, evidence-based intervention model.
- Section 1(B): Eliminates alternative governance arrangements for schools identified for four consecutive years, instead requiring the district board to seek support from the State Department of Education.
  - Such support may include academic intervention, professional development restructuring of the governance arrangement of the school, or any other plan reasonably calculated to improve student achievement.
  - If after two years of implementing a state support plan the school continues to be identified, the Board may exercise the option of assuming control of the school.

Should you have any questions related to this bill, please contact Ms. Desarae Witmer, Executive Director of School Support, at (405) 522-3263 or Ms. Carolyn Thompson, Chief of Government Affairs, at (405) 522-3520.

Amendment to: 70 O.S. 1210.544



## **S.B. 1584**

RE: S.B. 1584

SUBJECT: State Board of Education

Senate Bill 1584 becomes effective July 1, 2016. This bill makes an appropriation to the State Board of Education.

- Section 1: Appropriates \$65,865,088 from the Constitutional Reserve Fund of the State Treasury to the State Board of Education for the financial support of public schools.
- Section 2: Directs that such funds are to be budgeted for the fiscal year ending June 30, 2017 or the fiscal year ending June 30, 2018.

Should you have any questions related to this bill, please contact Ms. Mathangi Shankar, Chief Financial Officer, at (405) 521-3349 or Ms. Carolyn Thompson, Chief of Government Affairs, at (405) 522-3520.

New Law Not Codified



## S.B. 1616

RE: S.B. 1616

SUBJECT: General Appropriations

Senate Bill 1616 becomes effective July 1, 2016. This bill is the general appropriations bill and makes appropriations to the various agencies of the executive, legislative and judicial branches of state government. It appropriates \$2,426,721,434 to the State Board of Education.

- Sections 1-17 (pages 4-7, 75-78): Appropriates \$2,426,721,434 to the State Board of Education for Fiscal Year 2017 (FY17), which is the same amount Common Education had after two general revenue failures and a supplemental appropriation.
- Financial Support of Public Schools (commonly known as the funding formula) is appropriated \$1,870,703,624, which is \$6,031,552 *less* than beginning FY16 and \$24,267,215 *more* than ending FY16.
  - \$1,038,594,450 from the General Revenue Fund
  - \$696,954,056 from the Education Reform Revolving Fund
  - \$41,168,478 from the Common Education Technology Fund
  - \$3,610,000 from the Mineral Leasing Fund FY17
  - \$1,113,795 from the Mineral Leasing Fund FY15
  - \$22,116,071 from the Oklahoma Lottery Trust Fund FY17
  - \$1,281,686 from the Oklahoma Lottery Trust Fund FY15
  - NOTE: \$65,865,088 from the Constitutional Reserve Fund is also appropriated for the Financial Support of Public Schools, but that appropriation is made in S.B. 1584.
- Support of Public School Activities (commonly known as the line items) is appropriated \$91,956,442 from the General Revenue Fund, which is \$38,221,784 *less* than in FY16.
- Support of Partnership of Math Intervention is appropriated \$1,000,000 from the General Revenue Fund, which is \$1,000,000 *more* than in FY16.
- Heath Benefit Allowance (commonly known as Flexible Benefit Allowance/FBA) is appropriated \$442,030,522, which is \$26,006,957 *more* than in FY16, from the General Revenue Fund.
  - \$284,030,744 for Certified Employees
  - \$157,999,778 for Support Personnel

- Textbooks and Instructional Materials is appropriated \$0, which is *\$33,000,000 less* than in FY16.
- Administrative and Support Functions of the State Department of Education is appropriated \$15,831,344 from the General Revenue Fund, which is *\$6,567,951 less* than in FY16.
- School Consolidation Assistance Fund is appropriated \$2,599,751, which is *\$668,684 less* than FY16.
  - \$142,410 from the Oklahoma Lottery Trust Fund FY15
  - \$2,457,341 from the Oklahoma Lottery Trust Fund FY17
- Oklahoma Teachers' Retirement System Dedicated Revenue Revolving Fund is appropriated \$2,599,751, which is *\$668,684 less* than FY16.
  - \$142,410 from the Oklahoma Lottery Trust Fund FY15
  - \$2,457,341 from the Oklahoma Lottery Trust Fund FY17
- The FY17 Budget additionally lists other Dedicated Funds, Interagency Funds and Other Funds going to each state agency. For the State Department of Education, dedicated Funds equal \$3,970,283. Interagency Funds equal \$100,000. Other Funds, which include local and federal sources of revenue, equal \$5,891,256,292. Therefore, the total estimated amount of revenue available to Common Education is shown as \$8,322,048,009.
- Section 190: The Ad Valorem Reimbursement Fund is appropriated \$47,074,091 from the Special Cash Fund of the State Treasury. These monies will be transferred directly to the Ad Valorem Reimbursement Fund for the purpose of reimbursing counties for school districts that claim a loss of revenue due to tax exemptions. This section of the bill will go into effect upon the Governor's signature.

Should you have any questions related to this bill, please contact Ms. Mathangi Shankar, Chief Financial Officer, at (405) 522-0162 or Ms. Carolyn Thompson, Chief of Government Affairs, at (405) 522-3520.

New Law Not Codified



## **S.J.R. 72**

RE: S.J.R. 72

SUBJECT: Constitutional prohibition against public expenditure and property use for religious purposes

Senate Joint Resolution 72 was sent to the Office of the Secretary of State on April 26, 2016 for placement on the ballot.

- Section 1: Directs the Secretary of State to refer to the people for approval or rejection a repeal of Section 5 Article II of the Oklahoma Constitution which relates to the use of public monies or property for sectarian or religious purposes.
- Section 2: Directs the Ballot Title will be Legislative Referendum number 369 and State Question number 790. States the measure repeals Section 5 Article 2 of the Oklahoma Constitution, which prohibits the use of public monies or property for sectarian or religious purposes.

Should you have any questions related to this bill, please contact Mr. David Kinney, General Counsel, at (405) 521-4352 or Ms. Carolyn Thompson, Chief of Government Affairs, at (405) 522-3520.



## SUBJECT INDEX

**NOTE: Bills in the Red Banner Book are listed in numerical order.**

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