



2019

LEGISLATION



OKLAHOMA
STATE DEPARTMENT *of* EDUCATION



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 **5th 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 it is our pleasure to report that the Legislature approved the largest budget for common education in state history – more than \$3 billion – including an increase in funding to the state aid funding formula. The amount also provided the second consecutive pay raise for certified educators that on average will increase their annual salary by \$1,220. (H.B. 2765 and S.B. 1048). In addition, for the first time the Reading Sufficiency Act will be fully funded at \$12 million (S.B. 1048).

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

SUBJECT INDEX

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

Bills in this index may be listed under more than subject.

Accountability, Assessments, Student Info

H.B. 1364
H.B. 1988
H.B. 2641
S.B. 70
S.B. 601
S.B. 742

Certification, Retirement

H.B. 1373
H.B. 1781
H.B. 1905
H.B. 2768
S.B. 194
S.B. 217
S.B. 430
S.B. 772

Charter Schools

H.B. 1395
S.B. 268

Children, Families, Students

H.B. 1427
H.B. 1993
H.B. 2339
S.B. 163
S.B. 496
S.B. 742

Counseling/ Trauma- Informed

H.B. 1905
S.B. 446
S.B. 773
S.B. 971

Curriculum

H.B. 2520
S.B. 36
S.B. 593
S.B. 601
S.B. 926

Employment, Personnel, Compensation

H.B. 1044
H.B. 1050
H.B. 1207
H.B. 1781
S.B. 58
S.B. 83
S.B. 85
S.B. 198
S.B. 576
S.B. 971
S.B. 988

Funding, Budget

H.B. 1926
H.B. 2347
H.B. 2520
H.B. 2669
H.B. 2670
H.B. 2746
H.B. 2765
H.B. 2769
S.B. 1
S.B. 193
S.B. 271
S.B. 513
S.B. 695
S.B. 1047
S.B. 1048
S.B. 1072
S.B. 1076

Professional Development

H.B. 1228
S.B. 85
S.B. 382
S.B. 446

School Boards

H.B. 1114
H.B. 1885
H.B. 2666
S.B. 94

School Sites

H.B. 2339
H.B. 2597
H.B. 2612
S.B. 33
S.B. 48
S.B. 85
S.B. 92
S.B. 111
S.B. 361
S.B. 381
S.B. 441
S.B. 575
S.B. 576
S.B. 1030

Special Education

H.B. 1228
S.B. 575
S.B. 601
S.B. 742
S.B. 1038

State Dept. of Education

H.B. 1246
H.B. 1373
H.B. 1921
H.B. 2618
H.B. 2771
H.J.R. 1022
S.B. 1
S.B. 198
S.B. 259
S.B. 271
S.B. 316
S.B. 583
S.B. 585
S.B. 742

Transportation

H.B. 1044
H.B. 1926
S.B. 83
S.B. 378



H.B. 1044

RE: H.B. 1044

SUBJECT: Use of cellular telephones in motor vehicles.

House Bill 1044 becomes effective November 1, 2019. This bill adds an exception for use of a hand-held mobile telephone by a public school bus driver for specific reasons.

Existing law prohibits use of a hand-held mobile telephone while operating a commercial motor vehicle, including a school bus, except when communicating with law enforcement or emergency services.

- Section 1: Allows the use of a hand-held mobile telephone by a public school bus driver for communication to and from a central dispatch school transportation department or equivalent.

Should you have any questions related to this bill, please contact Ms. Tina Spence, Director of Compliance, Monitoring, & Pupil Transportation, at (405) 521-4513 or Ms. Carolyn Thompson, Chief of Government Affairs, at (405) 522-3520.

Amendment to: 47 O.S. §11-901c



H.B. 1050

RE: H.B. 1050

SUBJECT: Substitute teachers

House Bill 1050 becomes effective November 1, 2019. This bill increases the maximum number of days a substitute teacher can be employed during a school year.

Existing law allows a substitute teacher to teach for no more than 90 school days; or no more than 100 school days if the teacher holds a lapsed or expired certificate during a school year or has a bachelor's degree. There is no limit on the number of school days a certified teacher can be employed as a substitute.

- Section 1(B): Increases the total period of time that a substitute teacher can be employed during a school year to 135 school days; or 145 school days if the substitute teacher holds a lapsed or expired certificate or has a bachelor's degree.

Should you have any questions related to this bill, please contact the Office of Accreditation at (405) 522-1519 or Ms. Carolyn Thompson, Chief of Government Affairs, at (405) 522-3520.

Amendment to: 70 O.S. §6-105



H.B. 1114

RE: H.B. 1114

SUBJECT: Public construction

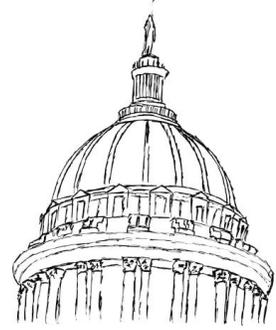
House Bill 1114 becomes effective November 1, 2019. This bill requires retainage amounts on construction contracts subject to a bond to be reduced to 2.5% when the project is half-way done.

Existing law allows for construction contracts to include a retainage amount of up to 5% of the amount of payment due.

- Section 1(A): Requires the retainage amount for construction contracts, subject to a bond, that are determined by the contractor to be at least 50% complete to be 2.5%, rather than 5%.
- Section 1(B): Requires, instead of allowing, subcontracts to include a provision for a retainage not to exceed 5% of the amount of payment due. Requires the retainage amount for construction subcontracts, subject to a bond, that are determined by the subcontractor to be at least 50% complete to be 2.5%.

Should you have any questions related to this bill, please contact Mr. Keith Hicks, Executive Director of Operational Support, at (405) 522-2034 or Ms. Carolyn Thompson, Chief of Government Affairs, at (405) 522-3520.

Amendment to: 61 O.S. §226



H.B. 1207

RE: H.B. 1207

SUBJECT: Law enforcement training and salary repayments

House Bill 1207 becomes effective November 1, 2019. This bill requires reimbursement of CLEET training and salary by one law enforcement agency to another under certain conditions.

- Section 1(N): Requires a law enforcement agency hiring an individual whose CLEET training and salary while in training was paid by another law enforcement agency to reimburse the initial employing agency for the cost if the individual is hired within one year of the initial employment.

Requires a law enforcement agency hiring an individual whose CLEET training and salary while in training was paid by another law enforcement agency to reimburse the initial employing agency for the cost if the individual is hired later than one year from the initial employment, but less than two years from initial employment, in an amount equal to 50% of the cost of the training and salary.

NOTE: Would only apply to school districts with their own police forces.

Should you have any questions related to this bill, please contact the Office of Accreditation at (405) 521-3335 or Ms. Carolyn Thompson, Chief of Government Affairs, at (405) 522-3520.

Amendment to: 70 O.S. §3311



H.B. 1228

RE: H.B. 1228

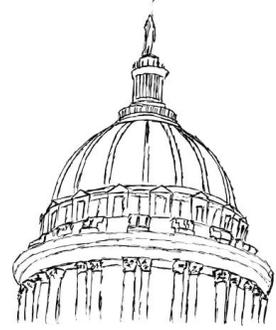
SUBJECT: Professional development programs for certified teachers and administrators

House Bill 1228 becomes effective November 1, 2019. This bill requires a dyslexia professional development program be provided to educators once a year.

- Section 1(F): Requires that one time per year, beginning in the 2020-2021 school year, a school district must offer a dyslexia awareness program as part of its professional development program. Requires the program to include:
 - Awareness of dyslexia characteristics in students;
 - Effective classroom instruction to meet the needs of students with dyslexia; and
 - Review of available dyslexia resources for teachers, students and parents.

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

Amendment to: 70 O.S. §6-194



H.B. 1246

RE: H.B. 1246

SUBJECT: Teachers' Retirement System

House Bill 1246 becomes effective November 1, 2019. This bill gives the option for an OTRS retiree who becomes employed by the OSDE for the first time to remain a member of OTRS or to participate in OPERS as an active member.

- Section 1(7): Allows a retired member of the Oklahoma Teachers' Retirement System (OTRS) who becomes an employee of the State Department of Education for the first time on or after November 1, 2019 the option to remain a member of OTRS subject to any applicable limitations on retired workers who return to work, or choose to participate in the Oklahoma Public Employees Retirement System (OPERS) as an active member.

Should you have any questions related to this bill, please contact Mr. Bill Connolly, Executive Director of Human Resources, at (405) 522-3319 or Ms. Carolyn Thompson, Chief of Government Affairs, at (405) 522-3520.

Amendment to: 70 O.S. §17-103



H.B. 1364

RE: H.B. 1364

SUBJECT: Career and work-readiness

House Bill 1364 becomes effective July 1, 2019. This bill directs the Department of Commerce to review and approve career-readiness assessments and make them available to all school districts starting in the 2019-2020 school year.

- Section 1: Requires the Department of Commerce, in cooperation with the State Department of Education and the Commission for Educational Quality and Accountability, to review and approve career-readiness assessments and credentials that measure and document foundational workplace skills subject to the availability of funds.

Requires the assessment be made available to school districts to administer beginning with the 2019-2020 school year. Requires a credential to be awarded to any student achieving the prescribed level. Requires a district choosing to administer the assessment to offer it to each student who chooses at no cost. Requires the assessment to

- be a standardized criterion-referenced measure of broadly relevant foundational workplace skills;
- assess and document readiness for a wide range of jobs;
- measure skills in applied mathematics, workplace documents, graphic literacy, or critical thinking and leadership collaboration;
- align with research-based skill requirement profiles for specific industries and occupations;
- lead to nationally recognized work-readiness certificates or credentials for those that meet the minimum proficiency requirements; and
- be available in paper and computer-based formats.

Should you have any questions related to this bill, please contact Mr. Craig Walker, Executive Director of Assessment, at (405) 522-1677 or Ms. Carolyn Thompson, Chief of Government Affairs, at (405) 522-3520.

New law at: 70 O.S. §14-135



H.B. 1373

RE: H.B. 1373

SUBJECT: Professions and occupations

House Bill 1373 becomes effective November 1, 2019. This bill requires a state entity charged with the oversight of occupational licenses or certifications to list any criminal disqualifying offense for the occupation and to make an initial determination of disqualification upon request due to a criminal history record.

- Section 1(B): Allows a person with a criminal history record to request, of a state licensing or certification entity, an initial determination of whether his or her record would potentially disqualify him or her from obtaining the desired license or certification. Such request may be made at any time and be in writing.

Requires the request to include either a copy of the person's criminal history record with explanation of each conviction or a statement describing each criminal conviction including the date of each conviction, the court of jurisdiction and the sentence imposed. The person may also include a statement with additional information for consideration.

- Section 1(C): Requires each state entity charged with oversight of an occupational license or certification to list with specificity any criminal offense that is a disqualifying offense for such occupation. Requires any disqualifying offense to substantially relate to the duties and responsibilities of the occupation and pose a reasonable threat to public safety.
 - Defines "substantially relate" to mean the nature of the criminal conduct for which the person was convicted has a direct bearing on the fitness or ability to perform one or more of the duties or responsibilities necessarily related to the occupation.
 - Defines "pose a reasonable threat" to mean the nature of the criminal conduct for which the person was convicted involved an act or threat of harm against another and has a bearing on the fitness or ability to serve the public or work with others in the occupation.
- Section 1(D): Directs licensing authorities upon receipt of a written request for consideration of a criminal history record to evaluate the request and make an initial determination as to whether the stated conviction is a disqualifying offense for the occupation. Requires the initial determination be issued to the petitioner within 60 days, or 90 days for a licensing authority that regulates fifty thousand or more members.

- Section 1(E): Requires the initial determination be in writing and mailed to the requestor and contain the following:
 - Whether the person appears eligible for licensure or certification in the occupation at the current time based upon the information submitted;
 - Whether there is a disqualifying offense prohibiting the person's engagement in the occupation at any time and a statement identifying the offense;
 - Actions that the person may take to remedy what appears to be a temporary disqualification, if any;
 - The earliest date the person may submit another request for certification, if any; and
 - A statement that the notice is only an initial determination for eligibility based on the information provided from the requestor.
- Section 1(F): Authorizes a state entity charged with oversight of an occupational license or certification to promulgate forms for requests for initial determinations and authorizes a fee not to exceed \$95 for each initial determination of eligibility.
- Sections 2-73: Updates a variety of statutes pertaining to professions and occupations to align with Section 1, excluding teacher certification.

Should you have any questions related to this bill, please contact Mr. Brad Clark, General Counsel, at (405) 522-3274 or Ms. Carolyn Thompson, Chief of Government Affairs, at (405) 522-3520.

New law at: 59 O.S. §4000.1



H.B. 1395

RE: H.B. 1395

SUBJECT: School financial disclosures

House Bill 1395 becomes effective May 2, 2019. This bill subjects virtual charter schools to the same reporting requirements, financial audits, audit procedures, and audit requirements as school districts and requires them to use the Oklahoma Cost Accounting System (OCAS).

- Section 1(E): Requires a virtual charter school to be subject to the same reporting requirements, financial audits, audit procedures and audit requirements as a school district, including using the Oklahoma Cost Accounting System (OCAS) to report financial transactions. Allows the State Department of Education or State Auditor and Inspector to conduct financial, program or compliance audits.
- Section 1(F): Requires the governing body of a virtual charter school to be subject to the same conflict of interest requirements as a member of a local school board. Requires members appointed to the governing board of a virtual charter school after July 1, 2019 to be subject to the same instruction and continuing education requirements as a member of a local school board.
- Section 2(A): Defines “educational management organization” to mean a for-profit or nonprofit organization that receives public funds to provide administration and management services for a charter school, statewide virtual charter school or traditional public school.
- Section 2(B): Requires a charter school that contracts with an educational management organization to report the total amount paid to the organization as well as itemized expenditure information for the goods and services provided by the organization as defined by OCAS expenditure codes. Requires the reported information to include the total compensation package of the superintendent including the base salary, insurance, retirement and other fringe benefits.
- Section 2(C): Requires any owner of an educational management organization to disclose in a public meeting any ownership position in any business that contracts or proposes to contract with the same public school that the organization is managing.
- Section 2(D): States that a contract between a teacher and any school district or public charter school is binding on the teacher and on the board of education until the teacher legally has been discharged from the teaching position or is released by the board of

education from the contract. Prohibits the teacher from entering into a contract with any other board of education in Oklahoma for the same time covered by the original contract.

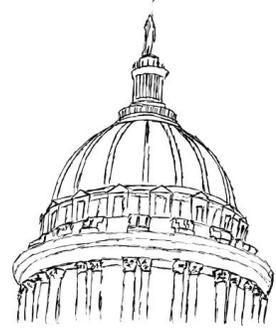
- Requires the State Board of Education to suspend a teacher's certificate if after written complaint and hearing the teacher is found to have failed to obey the terms of the previous contract and is employed full-time for another public school.

Should you have any questions related to this bill, please contact Mr. Brad Clark, General Counsel, at (405) 522-3274 or Ms. Carolyn Thompson, Chief of Government Affairs, at (405) 522-3520.

New law at: 70 O.S. §5-200

Amendment to: 70 O.S. §3-145.3

Helpful statutory references: 70 O.S. §5-113, 5-124, 5-110, 5-110.1, 5-106A



H.B. 1427

RE: H.B. 1427

SUBJECT: Multidisciplinary child abuse teams

House Bill 1427 becomes effective November 1, 2019. This bill requires that reports or information received by a multidisciplinary team be exempt from the Open Meetings and Open Records Acts.

Existing law requires each district attorney to develop a multidisciplinary team in each county. Teams are to, among other things, increase communication and collaboration among those responsible for reporting, investigating, prosecuting and treating child abuse.

- Section 1: Requires any reports or information received by the multidisciplinary teams to be confidential and allows them to be kept confidential by the team.
- Section 2(H): Requires each member of the team to be responsible for protecting the confidentiality of the child and any information made available to the team. Exempts such information from the Open Meeting Act and the Open Records Act.
- Section 3: Modifies the definition of “public body” as it relates to the Oklahoma Open Meeting Act to exclude multidisciplinary teams.

Should you have any questions related to this bill, please contact Mr. Brad Clark, General Counsel, at (405) 522-3274 or Ms. Carolyn Thompson, Chief of Government Affairs, at (405) 522-3520.

New law at: 51 O.S. §24A.32

Amendment to: 10A O.S. §1-92-102, 25 O.S. §304

Helpful statutory references: 25 O.S. §301-304, 51 O.S. §24A.1, 24A.31



H.B. 1781

RE: H.B. 1781

SUBJECT: Student teachers

House Bill 1781 becomes effective September 1, 2019. This bill allows for paid student teaching internships.

Existing law requires practice teaching under the direction of a regularly employed and certified teacher (i.e., student teaching) to be a nonsalaried internship.

- Section 1: Amends the definition of “student teacher” by striking the word “nonsalaried.” As a result, student teaching internships may be salaried positions.
- Section 2(B): Clarifies that students who have completed the minimum teacher internship requirement, and received a salary, are eligible to participate in a paid teacher internship program as developed by the Commission for Educational Quality and Accountability.

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

Amendment to: 70 O.S. §1-116, 6-186



H.B. 1885

RE: H.B. 1885

SUBJECT: Public bidding and public contracts

House Bill 1885 becomes effective November 1, 2019. This bill authorizes a local bid preference of up to 5% for public construction contracts if the governing body determines there is an economic benefit to the local area or economy.

Existing law requires all public construction contracts exceeding \$50,000 to be let and awarded to the lowest responsible bidder.

- Section 2(B): Allows a construction contract exceeding \$50,000 to provide for a local bid preference of not more than 5% of the bid price, if the awarding public agency determines that there will be an economic benefit to the local area or economy.
 - Requires the local bidder or contractor to agree to perform the contract for the same price and terms as the bid proposed by the nonlocal bidder or contractor and the local bidding entity is the second lowest qualified bidder.
 - Bid preferences must be granted in accordance with a policy established by the governing body of the awarding public agency. The bid specifications must state that the bid is subject to a local bidder preference law.
 - Defines “local bid” to mean that the bidding person is authorized to transact business in the state and maintains a bona fide business within the state.
 - Excludes any construction contract where federal funds may be available for expenditure when these provisions may be in conflict with federal law or regulation.

NOTE: The bill also makes the same requirements of public trusts.

Should you have any questions related to this bill, please contact Mr. Keith Hicks, Executive Director of Operational Support, at (405) 522-2034 or Ms. Carolyn Thompson, Chief of Government Affairs, at (405) 522-3520.

Amendment to: 60 O.S. §176, 61 O.S. §103



H.B. 1905

RE: H.B. 1905

SUBJECT: Teacher certification

House Bill 1905 becomes effective November 1, 2019. This bill requires teacher candidates to study trauma-informed responsive instruction.

- Section 1(2)(h): Requires preservice programs to incorporate trauma-informed responsive instruction into existing coursework, in addition to substance abuse symptoms identification and prevention, mental illness symptoms identification and mental health issues, classroom management skills, and classroom safety and discipline techniques.

Should you have any questions related to this bill, please contact Ms. Shelly Ellis, Deputy Superintendent of Student Support, at (405) 522-3263 or Ms. Carolyn Thompson, Chief of Government Affairs, at (405) 522-3520.

Amendment to: 70 O.S. §6-185



H.B. 1921

RE: H.B. 1921

SUBJECT: Virtual presence

House Bill 1921 becomes effective April 22, 2019. This bill creates the Oklahoman's Virtually Everywhere Act to make Oklahoma a leader in virtual presence.

- Section 1(A): Creates the “Oklahomans Virtually Everywhere Act” – a statewide initiative to allow Oklahomans to provide expertise throughout the world without leaving their communities, making Oklahoma a leader in telepresence and virtual presence.
 - “Telepresence” is defined to mean the ability of people who are not physically present with each other to collaborate and interact with others in meetings, conferences, office work and other contexts as though they are physically present.
 - “Virtual presence” is defined to mean those individuals and groups virtually present in meetings, conferences, office work and other social contexts are indistinguishable from those who are physically present.
- Section 1(C): Directs the Oklahoma State Regents for Higher Education to lead the effort in conjunction with OneNet, the State Board of Career and Technology Education, State Department of Education, Department of Libraries, Department of Commerce, and the Office of Management and Enterprise Services (OMES) on behalf of all state agencies to create a research and development proposal to make Oklahoma a leader in telepresence, with the ultimate goal for Oklahoma to be a leader in virtual presence. Requires each agency listed to designate a liaison.
- Section 1(D): Requires the proposal be created in consultation with businesses and state agencies and include a proposed budget and strategy for training Oklahoma organizations to use existing technologies for telepresence and virtual presence. Also requires an overview of the current state of telepresence in Oklahoma education, government and business with identified next steps.

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

New law at: 62 O.S. §36.1



H.B. 1926

RE: H.B. 1926

SUBJECT: School bus law

House Bill 1926 becomes effective November 1, 2019. This bill creates a new fine for individuals going around a stopped school bus and dedicates the funds toward grants to school districts for installing cameras on buses.

Existing law directs any person convicted of failing to stop for a school bus that is loading or unloading children, with the red loading signals in operation, to be punished by a fine of not less than \$100.

- Section 1(A): Adds a special assessment of \$100 to the existing fine for failing to stop for a school bus that is loading or unloading children when the red loading signals are in operation.
 - Directs 75% of the special assessment to be placed in the School Bus Stops Revolving Fund. Directs the remaining 25% to be deposited to the credit of the reviewing law enforcement agency.
- Section 1(E): Authorizes school districts to install and operate video-monitoring systems in or on school buses or bus-stop arms operated by the district or through a contract with a private vendor.

Directs recordings of any violation to be submitted to the law enforcement agency with jurisdiction where the violation occurred. Upon finding sufficient evidence to identify the vehicle and driver, the evidence is required to be submitted to the district attorney's office for prosecution.

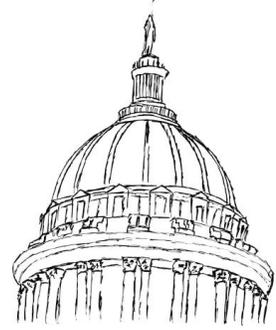
- Defines "video-monitoring system" to mean a system with one or more camera sensors and computers installed and operated on a school bus that produces live digital and recorded video of motor vehicles being operated. At a minimum, the system must be able to produce a recorded image of the license plate of the vehicle, an identifiable picture of the driver's face, the activation status of at least one warning device, and the time, date and location of the vehicle when the image was recorded.
- Section 2(A): Creates the Cameras for School Bus Stops revolving fund under the State Board of Education.

- Section 2(B): Directs the State Board of Education based on funds available in the revolving fund to award one or more grants annually, on a competitive basis, to public school districts for installation of camera equipment on buses to aid in identifying drivers violating the law. Authorizes the State Board of Education to determine criteria and establish a process for the submission of grant applications.

Should you have any questions related to this bill, please contact Ms. Tina Spence, Director of Compliance, Monitoring, & Pupil Transportation, at (405) 521-4513 or Ms. Carolyn Thompson, Chief of Government Affairs, at (405) 522-3520.

Amendment to: 47 O.S. §11-705

New law at: 70 O.S. §9-119



H.B. 1988

RE: H.B. 1988

SUBJECT: Annual school accountability reports

House Bill 1988 becomes effective November 1, 2019. This bill eliminates the requirement for the Board to promulgate rules to grant a medical exemption from the chronic absenteeism indicator.

- Section 1(L): Eliminates the provision directing the State Board of Education to promulgate rules regarding the school site report card that grant a medical exemption for the eighteen-day chronic absenteeism provision.

NOTE: By eliminating this language the decision of allowing a medical exemption is returned to the local school district.

Should you have any questions related to this bill, please contact Ms. Maria Harris, Executive Director of Accountability, at (405) 522-3298 or Ms. Carolyn Thompson, Chief of Government Affairs, at (405) 522-3520.

Amendment to: 70 O.S. §1210.545



H.B. 1993

RE: H.B. 1993

SUBJECT: Oklahoma Children's Code

House Bill 1993 becomes effective November 1, 2019. This bill modifies the definitions of "family-style living program" and allows placement for children in state custody.

- Section 1(11): Broadens the definition of "child-placing agency" to include a family-style residential program.
- Section 1(27): Defines "family-style living program" to mean a residential program providing sustained care and supervision to residents in a home-like environment not located in a building used for commercial activity.
- Section 2(E)(9): Requires individualized service plans (ISPs) to include a description of the child's placement and explanation about whether it is the least-restrictive placement, changed from whether it is the most family-like setting.
- Section 3(4)(a): Adds family-style living program as an approved placement option for a child in custody of the Department of Human Services.

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

Amendment to: 10A O.S. §1-1-105, 1-4-704, 1-4-707

Helpful statutory reference: 10A O.S. §1-4-704



H.B. 2339

RE: H.B. 2339

SUBJECT: Administering medication and vaccinations to children

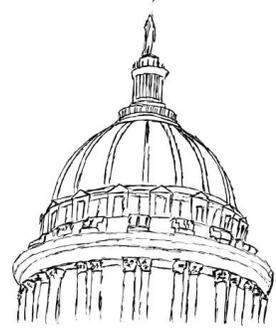
House Bill 2339 becomes effective November 1, 2019. This bill prohibits a student from being vaccinated at school without the prior written authorization of the parent or legal guardian.

- Section 1(G): Prohibits a student from being vaccinated at school or on school grounds or receiving a vaccine as part of the mobile vaccination effort without prior written authorization from the parent or legal guardian for the student, in accordance with the Parents' Bill of Rights. Written authorization must be obtained for each vaccine or group of vaccines administered in a single visit.

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

Amendment to: 70 O.S. §1-116.2

Helpful statutory reference: 25 O.S. §2002 (i.e., Parent's Bill of Rights)



H.B. 2347

RE: H.B. 2347

SUBJECT: Oklahoma Lottery Commission

House Bill 2347 becomes effective November 1, 2019. This bill allows the Oklahoma Lottery Commission to inform the public about contributions to Oklahoma education programs.

Existing law prohibits the Oklahoma Lottery Commission from involving children under the age of 18 in advertisements and promotions.

- Section 1(A)(10): Restricts the prohibition against involving children under the age of 18 to only those advertisements and promotions for *games and products*.
- Section 1(A)(11): Allows the Oklahoma Lottery Commission to inform the public about lottery contributions to Oklahoma education programs.

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

Amendment to: 3A O.S. §709



H.B. 2520

RE: H.B. 2520

SUBJECT: Alternative education

House Bill 2520 becomes effective July 1, 2019. This bill makes a variety of updates to the statewide alternative education system, including requiring all districts to offer alternative education services to students in need in grades seven through twelve and adjusting the allocation of funds to be on a per-student basis.

- Section 1(A): Requires *every* school district serving students in grades seven through twelve to annually, by June 30, conduct and report to the State Department of Education (OSDE) a needs assessment to identify those students who are most at risk of not completing a high school education, including students under the age of 19 who reside in a district and have dropped out of school, are suspended or have been suspended from school.
- Section 1(B): Requires *every* school district to annually, by September 1, develop and submit to OSDE a proposed plan approved the district board of education for meeting the needs of at-risk students identified through the needs assessment by establishing continuing or expanding alternative education programs.
- Section 1(D): Requires the annual needs assessment data to be incorporated into an annual report, including a listing by school district of the number of students funded and the number of students served, to be published on the OSDE website.
- Section 2(A): Clarifies language that students *enrolled in*, changed from *assigned to*, an alternative school or alternative education program or receiving educational services in a residential treatment facility are to be counted in attendance for purposes of ADA and ADM.
- Section 2(C): Requires a certified teacher in an alternative education program or school to be paid 5% more than the designated salary step for that teacher within the adopted salary schedule of the school district.
 - NOTE: This language is retained from 70 O.S. §1210.565 that is later repealed.
- Section 2(D): Requires that a person providing counseling or social services in an alternative education program or school be certified as a school counselor by the State Board of Education or as a mental health provider.

- Section 3(A)(2): Requires the Board to implement a statewide system of alternative education with the following changes beginning with the first semester of the 2020-2021 school year.
- Section 3(B): Requires all school districts serving students in grades seven through twelve provide alternative education programs.
- Section 3(B)(11): Requires programs to allow the student to participate in graduation exercises at the sending school or district after meeting the requirements for graduation. Requires the graduation plan to not be separate from the student's Individual Career Academic Plan (ICAP).
- Section 3(B)(13): Requires programs to provide opportunities for *hands-on* arts education to students including artist residency program coordinated with the Oklahoma Arts Council.
- Section 3(B)(15): Eliminates the requirement for programs to include an evaluation component with an annual written self-evaluation.
 - Clarifies language requiring programs be designed to serve middle school, junior high school and high school students in grades seven through twelve who are most at risk for not completing a high school education.
- Section 3(B)(16): Requires programs to allow students, who otherwise meet all of the participation requirements, to participate in vocational programs and extracurricular activities at the sending school or district including but not limited to athletics, band and clubs.
- Section 3(C): Requires alternative education programs be operational and serving students by September 1 of each school year.
- Section 3(D): Eliminates outdated funding language and requires funding for alternative education programs to be based on the average daily membership (ADM) of students served by the alternative education program in the prior school year, according to the annual statistical report conducted by the ODSE, with the per-student funding amount derived from the total funding available for the program each fiscal year.
- Section 3(D)(2): Requires the OSDE to designate up to 15% of the funding available each year as an incentive for districts participating in cooperative agreements for alternative education services. Requires the incentive amount to be allocated on a pro rata basis to each participating district, but not exceeding \$6,000 per fiscal year, and to be in addition to the per-student funding amount.
 - Requires any funds remaining from the 15% after incentive allocations are made to be distributed with the remaining 85% of funds.

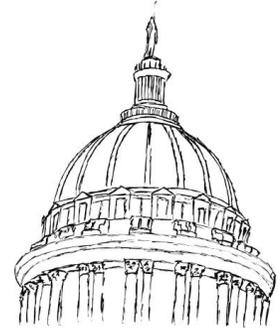
- Section 3(E): Removes the requirement for alternative education funds to be reported by September 15 of each school year resulting in reports being due in accordance with OCAS requirements.
- Section 3(F): Allows elementary school districts to request a waiver by May 15 of each year from the alternative education requirements. Requires waiver requests to be accompanied by an assurance that the school district does not have students in need of alternative education services. Excludes districts granted a waiver from receiving alternative education funds.
- Section 3(G): Directs the State Board of Education to provide training, technical assistance, evaluation and program analysis for alternative education programs. Authorizes the Board to contract with a technical assistance provider in order to meet the requirements.
- Section 3(G)(3): Allows the Board to create an evaluation schedule for effective and highly effective programs, requiring that they be evaluated not less than once every three years.
- Section 3(G)(4): Authorizes the State Board of Education to suspend funds for an alternative education program not meeting requirements. Allows districts under consideration for suspension of funds to request a hearing before the Board with a review of the evaluation prior to the Board's final determination.
- Section 3(I): Requires a school district participating in a cooperative agreement to send its alternative education funding to the cooperative.
- Sections K-M: Eliminates language for provisions under which alternative education would be expanded to elementary and middle school students.
- Section 4: Repeals the alternative education competitive grant program and other outdated language.

Should you have any questions related to this bill, please contact Ms. Jennifer Wilkinson, Director of Alternative Education, at (405) 522-0276 or Ms. Carolyn Thompson, Chief of Government Affairs, at (405) 522-3520.

Amendment to: 70 O.S. §1210.566, 1210.567, 1210.568

Repeals: 70 O.S. §1210.561, 1210.562, 1210.565, 1210.569

Helpful statutory references: 70 O.S. §13-101, 1210.508-4, 5-135, 5-103, 5-117b



H.B. 2597

RE: H.B. 2597
SUBJECT: Weapons

House Bill 2597 becomes effective November 1, 2019. This bill makes Oklahoma a constitutional carry state, allowing for the carrying of a concealed or unconcealed firearm, without a license, by any person who is 21 years of age or older.

- Section 1(A)(6): Authorizes the carrying of a firearm, concealed or unconcealed, loaded or unloaded, by a person who is 21 or older or by a person who is 18 but not yet 21 provided and the person is a member or veteran of the U.S. military, and the person is not otherwise disqualified from the possession or purchase of a firearm under state or federal law and is not carrying the firearm in furtherance of a crime.
 - Prohibits a person who has been convicted of certain offenses in Oklahoma or another state from carrying a firearm.
 - Prohibits any person who carries a firearm in this manner from carrying the firearm into any location already prohibited by law. States these changes will not modify or otherwise change where a person may legally carry a firearm.
- Section 2(A): Clarifies that any person, including a person in possession of a valid handgun license is prohibited from carrying a handgun onto certain properties including any public or private elementary or public or private secondary school, unless otherwise allowed by law.
- Section 2(F): Clarifies that no person, including a person in possession of a valid handgun license, is permitted to carry a firearm, machete, blackjack, loaded cane, hand chain, or metal knuckles into or upon any college, university or technology center school property. The prohibition does not apply to property designated for parking, property authorized by the school, or property authorized by written consent provided the consent is carried with the weapon.
- Section 3(E): Prohibits any person who is an alien illegally or unlawfully in the U.S. to possess or have in his or her vehicle or residence any pistol, imitation or homemade pistol, altered air or toy pistol, shotgun, rifle, or any other dangerous or deadly firearm.
- Section 5(D): Prohibits any person from transporting a firearm in a motor vehicle who fails or refuses to identify that the person is in actual possession of a firearm when asked

to do so by a law enforcement officer of this state during any arrest, detainment, or routine traffic stop, punishable by citation for an amount not to exceed \$100.

- Section 10(B): Clarifies that the availability of a license to carry under the Oklahoma Self-Defense Act does not prohibit the lawful transport or carrying of a handgun or pistol in a vehicle or on or about the person whether concealed or unconcealed, loaded or unloaded, and without a valid handgun license as permitted by law.
- Section 11(D): Does not require any person to identify himself or herself as a handgun licensee or as lawfully in possession of any other firearm if the law enforcement officer, during any arrest, detainment, or routine traffic stop, does not demand the information.
- Section 12(E): Sets the fine and other punishment for a person who is informed by a property owner, business entity or manager of a business that the person is in violation of a policy that prohibits firearms on the property and the person refuses to leave the property and a peace officer is summoned.

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

Amendments to: 21 O.S. §1272, 1277, 1283, 1289.6, 1289.7, 1289.13, 1289.13A, 1289.24, 1290.1, 1290.7, 1290.8, 1290.22, 1290.24



H.B. 2612

RE: H.B. 2612

SUBJECT: Medical marijuana

House Bill 2612 becomes effective November 1, 2019. This bill creates the Oklahoma Medical Marijuana and Patient Protection Act, setting up a regulatory framework consistent with the voter-approved State Question 788.

- Section 2: Defines more than 68 terms including:
 - “Public institution” to mean any entity established or controlled by the federal, state or local government, or municipality including, but not limited to institutions of higher education or related research institutions; and
 - “Schools” to mean a public or private preschool or elementary or secondary school used for school classes and instruction. A homeschool, daycare or child-care facility is not considered a school under this act.
- Section 5: Creates the Oklahoma Medical Marijuana Authority Revolving Fund to receive the 7% tax on sales.
 - NOTE: Existing law requires 75% of funds exceeding the budgetary amount for running the regulatory office to be expended for common education.
- Section 7: Requires the Authority to create a medical marijuana use registry for the purpose of verification by dispensaries. Deems all records confidential and protected under HIPPA.
- Section 8(B): Prohibits municipal and county governing bodies from enacting medical marijuana guidelines which restrict or interfere with the rights of a licensed patient or caregiver.
- Section 8(C): Allows business owners to restrict consumption by vapor or smoke on the premises and within 10 feet of the entry; however, the consumption of other legal products may not be restricted.
- Section 8(D): Prohibits a license holder from being denied eligibility based solely on their status as a medical marijuana patient or caregiver for public assistance programs that include but are not limited to Medicaid, Supplemental Nutrition Assistance Program

(SNAP), Women, Infants, and Children (WIC), Temporary Assistance for Needy Families (TANF) or other public assistance programs.

- Section 8(H): Prohibits employers from refusing to hire, disciplining, discharging or otherwise penalizing an applicant or employee solely on the basis of their status as a medical marijuana licensee, unless otherwise required by federal law or required to obtain federal funding. Prohibits penalizing an applicant or employee solely on the basis of a positive test for marijuana components or metabolites unless
 - the applicant or employee does not possess a valid medical marijuana license;
 - the person possesses, consumes or is under the influence of medical marijuana while at a place of employment during the fulfillment of employment obligations;
 - the position is one involving safety-sensitive job duties.
 - “Safety-sensitive” is defined to mean any job that includes tasks or duties that the employer reasonably believes could affect the safety and health of the employee performing the task or others including, but not limited to handling hazardous materials, operating a vehicle or power tools, overseeing critical infrastructure, firefighting, handling pharmaceuticals, carrying a firearm or direct patient or child care.
- Section 8(I): Allows employers to restrict the use of medical marijuana on the property or premises of any place of employment during hours of employment and have written policies regarding drug testing and impairment in accordance with the Oklahoma Standards for Workplace Drug and Alcohol Testing Act.
- Section 8(L): Makes all smokable, vappable and e-cigarette medical marijuana subject to the same restrictions for tobacco under the Smoking in Public Places and Indoor Workplaces Act.
- Section 18(C): Requires medical marijuana to be packaged to minimize its appeal to children, prohibits labels from targeting individuals under the age of 21 with graphics such as cartoon characters, and prohibits advertising or signage that specifically targets individuals under the age of 21.

NOTE: This bill adds a significant amount of new language to regulate medical marijuana and creates specific types of licenses that are unlikely to apply to schools.

Should you have any questions related to this bill, please contact Mr. Brad Clark, General Counsel, at (405) 522-3274 or Ms. Carolyn Thompson, Chief of Government Affairs, at (405) 522-3520.

New law at: 63 O.S. §427.1-23

Amendment to: 40 O.S. §552

Helpful statutory references: 40 O.S. §551, 63 O.S. §2-101, 420, 426



H.B. 2618

RE: H.B. 2618

SUBJECT: Website of public bodies

House Bill 2618 becomes effective November 1, 2019. This bill requires any public body that collects personally identifiable data to publish on its website what data is being collected, how it is stored, and with whom the data is being shared.

- Section 1(C): Requires any public body that collects personally identifiable data to make available on their website the following:
 - What personal identifiable data is being stored;
 - How the personally identifiable data is stored; and
 - With whom the public body shares the personally identifiable data.
- Section 1(D): Defines “personally identifiable data” to mean information which can identify an individual including, but not limited to name, birth date, Social Security number, official state or government issued driver license or identification number, alien registration number, government passport number, employer or taxpayer identification number or any other information that is linked or linkable to an individual such as medical, educational, financial or employment information.

Should you have any questions related to this bill, please contact Mr. Brad Clark, General Counsel, at (405) 522-3274 or Ms. Carolyn Thompson, Chief of Government Affairs, at (405) 522-3520.

Amendment to: 74 O.S. §3106.4

Helpful statutory references: 25 O.S. §304



H.B. 2641

RE: H.B. 2641

SUBJECT: Student assessment system

House Bill 2641 becomes effective May 28, 2019. This bill changes the dates that preliminary and final statewide assessment results are returned to school districts.

- Section 1(I)(2): Directs the State Board of Education to ensure preliminary results for all statewide assessments are reported to districts by June 20 of each year, changed from June 1.
- Section 1 (J)(1): Requires the assessment vendor to provide a final electronic data file for all school sites, school districts and state results to the State Department of Education and the Office of Educational Quality and Accountability by August 20 of each year, changed from August 1.

Should you have any questions related to this bill, please contact Mr. Craig Walker, Executive Director of Assessment, at (405) 522-1677 or Ms. Carolyn Thompson, Chief of Government Affairs, at (405) 522-3520.

Amendment to: 70 O.S. §1210.508



H.B. 2666

RE: H.B. 2666

SUBJECT: Public buildings and public works

House Bill 2666 becomes effective January 1, 2020. This bill creates the Political Construction Management Act for Political Subdivisions and establishes requirements for bid projects to include consultants, construction managers and at-risk construction managers.

- Section 1(10): Defines the term “political subdivision” to mean any local governmental body including but not limited to school districts, career technology centers, cities, counties, public trusts, public authorities, commissions or other local governmental bodies exercising their authority to contract with construction managers and/or consultants. It also includes any quasi-governmental and nongovernmental organizations contracting with construction managers and/or consultants using public funds or on behalf of a political subdivision.
- Section 2(J): Requires all political subdivisions in the selection process of a consultant – eliminating construction manager – to consider professional qualifications and technical experience. Requires a contract to be negotiated with the highest qualified consultant; however, if a reasonable fee cannot be negotiated, the subdivision can negotiate with other consultants in order of their qualifications.
 - “Consultant” is defined to include an individual or entity that provides construction administration and/or construction inspection services for any construction project.
- Section 2(K): Requires all political subdivisions in the selection process of a construction manager to first extend consideration to managers from the CAP registration list maintained by the Department of Real Estate Services of OMES. Limits the selection of firms to only those recognized as qualified construction managers; however, subdivisions may seek proposals from any number of construction managers on the list.
 - “Construction manager” is defined to be limited to those on the Office of Management and Enterprise Services Construction and Properties (OMES-CAP) registration list.
 - Requires a contract to be negotiated with the highest qualified construction manager; however, if a reasonable fee cannot be negotiated, the subdivision can negotiate with other managers in order of their qualifications.

- Section 8: Creates the “Public Construction Management Act for Political Subdivisions.”
- Section 9(B)(1): Defines “agency construction management” to include an agreement where the construction entity provides services to the owner without taking on financial risks for the execution of the actual construction or time of performance and the owner contracts directly with those awarded trade contracts for the work.
- Section 9(B)(2): Defines “at-risk construction management” to include an agreement where the construction entity takes on the financial obligation to *timely* carry out the construction under a specified cost agreement and enters into written subcontracts for the work.
- Section 9(B)(3): Defines “construction management” to mean a public construction project delivery method based on an agreement under which the owner acquires a series of services.
- Section 9(B)(4): Defines “political subdivision” consistent with the definition above.
- Section 10(A): Requires construction managers to be selected by political subdivisions consistent with Section 2(K) as described above.
- Section 10(B): Requires that a written contract between the political subdivision and the construction manager state the obligations of the parties and at a minimum include:
 - Construction management fee that can be based on a percentage of the construction cost or as defined in the contract;
 - Cost or basis of cost expenses incurred by the construction manager to be reimbursed by the subdivision for normal general conditions and requirements necessary to complete the work, but not specific to a particular subcontractor, trade contractor, or supplier; and
 - Other project-related expenses listed in the contract.
- Section 10(C): Requires the procedure for awarding contracts under agency construction management to include the construction manager developing individual bid packages and evaluating/recommending the lowest bidder. Allows the manager to assist with the preparation of contracts and the receipt of insurance and bonds as required for public construction contracts by state law.
 - Allows the construction manager to assist the subdivision with the review and processing of progress along with final payments to subcontractors. However, requires the owner to directly pay all trade contractors.
- Section 10(D): Defines procedures for at-risk construction management:

- Requires bid packages above \$50,000 to be let and awarded under the same requirements as other projects. However, it allows bid packages with a value less than or equal to \$50,000 to be awarded based on written comparative quotes and packages less than or equal to \$25,000 to any qualified vendor.
- Requires the construction manager to prepare a guaranteed maximum price (GMP) for the project to be approved by the subdivision. Allows a subdivision to require the manager to provide performance, payment and maintenance bonds in an amount equal to 100% of the value of the work. As such, the manager may require bonds from the subcontractors or suppliers.

NOTE: The bill also makes similar changes to the Public Facilities Act which does not apply to public schools.

Should you have any questions related to this bill, please contact Mr. Keith Hicks, Executive Director of Operational Support, at (405) 522-2034 or Ms. Carolyn Thompson, Chief of Government Affairs, at (405) 522-3520.

New law at: 61 O.S. §215-217

Repeals: 61 O.S. §220

Amendment to: 61 O.S. §61-62, 113, 121



H.B. 2669

RE: H.B. 2669

SUBJECT: State Revenue Apportionment Evaluation Commission

House Bill 2669 becomes effective July 1, 2019. This bill creates the State Revenue Apportionment Evaluation Commission to analyze the state revenue system with special emphasis on the amount of revenue which is apportioned for purposes outside of the General Revenue Fund.

- Section 1: Creates a nine-member State Revenue Apportionment Evaluation Commission until July 1, 2023.
- Section 1(B): Membership includes two persons appointed by the Governor; two persons, one from each party, appointed by the Speaker of the House; two persons, one from each party, appointed by the Pro Tempore of the Senate; executive director of the Tax Commission; Director of the Office of Management and Enterprise Services (OMES); and the State Treasurer.
- Section 1(D): Requires an organizational meeting within 60 days of July 1, 2019.
- Section 1(E): Subjects the Commission to the Open Meeting and Open Records Acts.
- Section 1(G): Directs the staff of the House, Senate, OMES and Tax Commission to provide support to the Commission.
- Section 1(H): Requires the Commission to analyze the state revenue system with special emphasis on the amount of revenue that is apportioned for purposes other than expenditures from the General Revenue Fund.
 - Requires the Commission to prepare a summary, within 120 days after the end of each fiscal year, of the revenue sources which are apportioned to destinations other than the General Revenue Fund, including, the amount of revenue apportioned to those sources or purposes, the tax or other revenue system from which the apportionment is derived, and the total amount of revenue from the state tax and revenue structure that is apportioned for purposes other than expenditures from the General Revenue Fund.
 - Directs the summary to also include any changes to apportionments enacted during the immediately preceding regular legislative session and any other

information that the Commission determines to be necessary for a complete analysis of the topic of apportioned revenues.

- Section 1(I): Requires that the annual summary be delivered to the Governor, the Speaker of the House of Representatives, and the President Pro Tempore of the Senate, and also be posted on the Oklahoma Tax Commission's website.

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

New law at: 62 O.S. §46.5



H.B. 2670

RE: H.B. 2670

SUBJECT: Public Finance

House Bill 2670 becomes effective November 1, 2019. This bill creates the Pay for Success Act for state agencies to establish public-private partnerships under a pay-for-success contract.

- Section 2: States the intent of the Legislature to authorize innovation opportunities in the form of pay-for-success contracts, to address outcomes that span multiple agencies, and to provide a fund to be used by agencies for success payments.
- Section 3: Defines “pay-for-success contract” to mean a written agreement executed in order to create a public-private partnership contingent upon a specified service or program meeting specified performance targets and outcome measures.
 - Defines “success payment” to mean a single payment or schedule of payments in a pay-for-success contract to be paid when performance targets/outcomes are met.
- Section 4(A): Allows an agency or agencies to enter into a pay-for-success contract with a private entity to provide up-front capital for a service or program. Agencies may not enter into a contract until determining that the contract will result in a public benefit.
- Section 4(B): Defines the terms for each pay-for-success contract including secured up-front capital; the service or program to be funded; performance targets or outcomes to determine success; a third-party, independent evaluator; and the amount of funds to be reimbursed contingent upon the degree to which success measures are met.
- Section 5: Creates the Pay for Success Innovation Fund to provide payment to private entities for the delivery of performance targets and outcome measures at the direction of the agency engaged in the contract.

NOTE: SB 1061 allocated \$1,500,000 from the funds appropriated to the Office of Management and Enterprise Services (OMES) for the Pay for Success program.

Should you have any questions related to this bill, please contact Mr. Keith Hicks, Executive Director of Operational Support, at (405) 522-2034 or Ms. Carolyn Thompson, Chief of Government Affairs, at (405) 522-3520.

New law at: 62 O.S. §9010.1, 9010.2, 9010.3, 9010.4, 9010.5



H.B. 2746

RE: H.B. 2746

SUBJECT: Digital Transformation Program Revolving Fund

House Bill 2746 becomes effective May 24, 2019. This bill creates the Digital Transformation Program Revolving Fund to make grants to agencies for improving systems and processes.

- Section 1(A): Creates the Digital Transformation Program Revolving Fund to be managed by the Office of Management and Enterprise Services (OMES) for the sole purpose of implementing digital transformation initiatives.
- Section 1(B): Requires the Director of OMES to submit monthly reports to the President Pro Tempore of the Senate, Speaker of the House of Representatives and the chairs of the appropriations committees detailing expenditures from the fund and projects under consideration for future expenditures.

NOTE: HB 2765 appropriates \$15,000,000 to the Digital Transformation Program Revolving Fund.

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. §36



H.B. 2765

RE: H.B. 2765

SUBJECT: Public Finance

House Bill 2765 becomes effective July 1, 2019. This bill is the general appropriations (GA) bill and makes appropriations to the various agencies of the executive, legislative and judicial branches of state government. It appropriates \$3,070,951,054 to the State Board of Education.

- Section 1-16: Appropriates \$3,070,951,054 to the State Board of Education for Fiscal Year 2020 (FY 20), which is \$157,965,907 *more* than was appropriated in FY 19.
- Financial Support for Public Schools (i.e., funding formula) is appropriated \$2,411,771,057, which is \$133,648,768 *more* than FY 19.
 - \$1,478,105,700 from the General Revenue Fund
 - NOTE: S.B. 1048 requires \$58,858,503 of the amount appropriated to be used to provide an increase in compensation for certified personnel.
 - \$854,300,525 from the Education Reform Revolving Fund (i.e., 1017 Fund)
 - \$47,111,412 from the Common Education Technology Fund.
 - \$3,800,000 from the Mineral Leasing Fund FY 20
 - \$131 from the Mineral Leasing Fund FY 18
 - \$21,375,000 from the Oklahoma Education Lottery Trust Fund FY 20
 - \$7,078,289 from the Oklahoma Education Lottery Trust Fund FY 18
- Support for Public School Activities is appropriated \$100,919,026 from the General Revenue Fund, which is \$5,950,000 *more* than FY 19.
- Textbooks and instructional materials is appropriated \$33,000,000 from the General Revenue Fund, which is equal to the amount appropriated in FY 19.
- Health Benefit Allowance (i.e., Flexible Benefit Allowance/FBA) is appropriated \$502,691,920 from the General Revenue Fund, which is \$18,958,804 *more* than FY 19.
 - \$322,414,199 for Certified Employees
 - \$180,277,721 for Support Personnel

- Administrative and Support Functions of the State Department of Education is appropriated \$16,246,097 from the General Revenue Fund, which is \$265,907 *more* than FY 19.
 - NOTE: This increase is dedicated to the pay raises for state employees contained in H.B. 2771.
- School Consolidation Assistance Fund is appropriated \$3,161,477, which is \$428,786 *less* than FY 19.
 - \$2,375,000 from the Oklahoma Education Lottery Trust Fund FY 20.
 - \$786,477 from the Oklahoma Education Lottery Trust Fund FY 18.
- Oklahoma Teachers' Retirement System Dedicated Revenue Revolving Fund is appropriated \$3,161,477, which is \$428,786 *less* than FY 19.
 - \$2,375,000 from the Oklahoma Education Lottery Trust Fund FY 20.
 - \$786,477 from the Oklahoma Education Lottery Trust Fund FY 18.
- Section 27: Appropriates \$11,764,823 to the Oklahoma State Regents for Higher Education for concurrent enrollment expenditures, which is \$3,300,000 *more* than FY 19.
- Section 124: The Ad Valorem Reimbursement Fund is appropriated \$99,600,000 from the Special Cash Fund of the State Treasury for the purpose of reimbursing counties for school districts that claim a loss of revenue due to exemptions of certain ad valorem taxes, which is \$6,900,000 *more* than FY 19.
 - Section 124 becomes effective June 15, 2019.

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.

Helpful statutory reference: 62 O.S. §193, 70 O.S. §628.13



H.B. 2768

RE: H.B. 2768

SUBJECT: Oklahoma Pension Stabilization Fund

House Bill 2768 becomes effective May 24, 2019. This bill repeals the Oklahoma Pension Stabilization Fund.

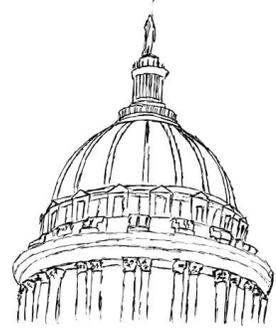
Existing law directs any surplus funds in excess of the funds required to be deposited in the Constitutional Reserve Fund (i.e., Rainy Day Fund), which accrue to the General Revenue Fund the immediately preceding fiscal year to be deposited in the Oklahoma Pension Stabilization Fund. Funds were to be appropriated by the Legislature to reduce the unfunded liability of any pension system with a funded ratio of less than 90%.

- Section 1: Repeals the Oklahoma Pension Stabilization Fund.

NOTE: The fund was first set up in 2013. The fund has not received a deposit in the fiscal years since it has been in existence.

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

Repeals: 62 O.S. §46.4



H.B. 2769

RE: H.B. 2769

SUBJECT: Common education funding

House Bill 2769 becomes effective November 1, 2019. This bill repeals the April 1 deadline for funding common education.

- Section 1: Repeals the constitutional deadline that requires the Oklahoma State Legislature to fund common education by April 1 of each year in order for boards of education to make decisions on teacher contracts.

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.

Repeals: 62 O.S. §34.86



H.B. 2771

RE: H.B. 2771

SUBJECT: State employee compensation

House Bill 2771 becomes effective July 1, 2019. This bill provides all full-time and part-time employees of the state employed on the last day of June 2019 a salary increase to take effect beginning July 1, 2019.

- Section 1(A): Directs all full-time and part-time officers and employees, including temporary and other limited-term employees, of the state who were employed on the last working day of June 2019 to be awarded an annualized salary increase beginning July 1, 2019 as follows:
 - \$1,500 for persons making \$40,000 or less annually as of June 30, 2019;
 - \$1,250 for persons making between \$40,000 and \$50,000 as of June 30, 2019;
 - \$800 for persons making between \$50,000 and \$60,000 as of June 30, 2019; and
 - \$600 for persons making \$60,000 or more as of June 30, 2019.
- Section 1(B): Defines “temporary and other limited-term employees” as those that are not full-time or permanent employees, and are compensated by an agency, board, commission or department or other employing entity for a limited duration and without any subjective expectation by either the employer or the employee that the employment will become permanent.
- Section 1(C): Directs that except those excluded from eligibility for any increase or advancement in salary, the salary increase will apply to employees of county health departments, employees of a conservation district, and employees of the George Nigh Rehabilitation Institute.
- Section 1(D): Requires employees on leave without pay as of July 1, 2019 to receive the annualized increase effective upon their return, excluding the period for which they were on leave.
- Section 1(E): Requires employees who leave state service before July 1, 2019 and who are reinstated or reemployed in the state service during July 2019 without a break in service and who are otherwise eligible for the pay increase to be granted the raise effective immediately upon their reinstatement or reemployment.

- Defines “break in service” to be a period of time in excess of 30 calendar days between two periods of state employment.
- Excludes certain officers and employees from the pay increase including elected officials, cabinet secretaries, agency directors, judges, district attorneys and employees of institutions of higher education.
- Section 1(G): Requires no salary increase be made that exceeds a salary limitation provided in an agency’s annual appropriation bill or salary limits set by statute.
- Section 1(H): Requires those employees not employed full-time receive a prorated increased amount using a method that is applicable to the employee’s compensation, weeks worked, months worked, hours worked or similar method.

Should you have any questions related to this bill, please contact Mr. Bill Connolly, Executive Director of Human Resources, at (405) 522-3319 or Ms. Carolyn Thompson, Chief of Government Affairs, at (405) 522-3520.

New law not codified

Helpful statutory references: 74 O.S. §840-2.17



H.J.R. 1022

RE: H.J.R. 1022

SUBJECT: State agency rules

House Joint Resolution 1022 becomes effective May 28, 2019. This resolution approves all proposed permanent rules of Oklahoma State agencies filed on or before April 1, 2019, with the exception of certain rules.

Existing law requires the Legislature pass an omnibus joint resolution to approve the administrative rules of each agency.

- Section 1(A): Approves all proposed permanent rules of Oklahoma State agencies, including those of the State Department of Education, filed on or before April 1, 2019 with the exception of certain rules of the Oklahoma Department of Wildlife Conservation and the State Board of Pharmacy.

Should you have any questions related to this bill, please contact Mr. Brad Clark, General Counsel, at (405) 522-3274 or Ms. Carolyn Thompson, Chief of Government Affairs, at (405) 522-3520.



S.B. 1

RE: S.B. 1

SUBJECT: Creating Legislative Office of Fiscal Transparency

Senate Bill 1 becomes effective May 24, 2019. This bill creates the Legislative Office of Fiscal Transparency “LOFT” for the purpose of assisting the Legislature in ensuring that government funds are expended in a fiscally responsible manner.

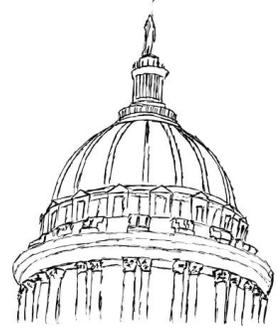
- Section 1: Creates the Legislative Office of Fiscal Transparency (LOFT) to assist the Legislature with ensuring government funds are expended in a fiscally responsible manner, with all expenses of the office paid by the Legislative Service Bureau subject to the approval of the President Pro Tempore of the Senate and the Speaker of the House of Representatives.
- Section 2(A): Requires LOFT to gather information for proposed budgets of the executive branch agencies, analyze whether an agency’s budget does or does not fulfill its primary duties, analyze and forecast revenues available to agencies, and conduct investigations regarding agency operations.
- Section 2(B): Directs LOFT to conduct performance evaluations and independent comprehensive performance audits.
- Section 2(C): Defines “performance evaluation” to include economy, efficiency and effectiveness of an agency; structure and ability to accomplish its goals and those of the Legislature; accuracy of information; and compliance with policies, rules and laws.
- Section 2(D): Defines “independent comprehensive performance audit (ICPA)” to include but not be limited to a review and analysis of the economy, efficiency, effectiveness, and compliance of the policies, management, fiscal affairs and operations of the state agencies, divisions, programs and accounts. Allows LOFT to contract with a private entity or utilize the State Auditor and Inspector’s Office.
 - Results of an ICPA can be used by the Legislature to implement best budgeting and policy-making practices or government services to run in the most cost-effective way.
 - An ICPA can include but will not be limited to the following:

- Policies, mandates, authorizations, administrative rules and/or agency practices;
 - All sources of funding received by the agency;
 - Management of the agency such as its governance, capacity, divisions, programs, accounts, information technology systems and operations; and
 - A schedule for implementing agency-specific recommendations.
- Section 3: Creates the committee to oversee the LOFT that will consist of 14 members including seven members of the House of Representatives and seven members of the Senate.
 - Section 4: Requires every state agency upon request to furnish all records, documents, materials and personnel to LOFT and cooperate with LOFT. Allows the committee to conduct hearings, administer oaths, issue subpoenas and compel the attendance of witnesses and the production of information.
 - Section 5: Requires LOFT to submit a report of its finding to the oversight committee. Requires the reports to be made available to the public with the exception of any confidential information. The oversight committee will make recommendations to the agency or the Legislature and Governor as needed.
 - Section 6: Repeals the Agency Performance and Accountability Act.

Should you have any questions related to this bill, please contact Mr. Brad Clark, General Counsel, at (405) 522-3274 or Ms. Carolyn Thompson, Chief of Government Affairs, at (405) 522-3520.

New law at: 62 O.S. §8011-8015

Repeals: 62 O.S. §8001-8005



S.B. 33

RE: S.B. 33

SUBJECT: Vapor products on school property

Senate Bill 33 becomes effective July 1, 2019. This bill adds vapor products to the list of products prohibited under the 24/7 Tobacco-free Schools Act.

- Section 1(6): Defines “vapor product” to mean noncombustible products, that may or may not contain nicotine, that employ a mechanical heating element, battery, electronic circuit or other mechanism, regardless of shape or size, that can be used to produce a vapor in a solution or other form.
 - These products include any vapor cartridge or other container with or without nicotine or other form that is intended to be used with an electronic cigarette, cigar, cigarillo, pipe or similar product or device that may or may not contain nicotine.
 - These products do not include any products regulated by the United States Food and Drug Administration under Chapter V of the Food, Drug, and Cosmetic Act.
- Section 2(A): Adds vapor products to the 24/7 Tobacco-free Schools Act, prohibiting them from being in or on an educational facility, school vehicle or school-sanctioned event or activity.

Should you have any questions related to this bill, please contact the Office of Accreditation at (405) 521-3335 or Ms. Carolyn Thompson, Chief of Government Affairs, at (405) 522-3520.

Amendment to: 70 O.S. §1210.212, 1210.213



S.B. 36

RE: S.B. 36

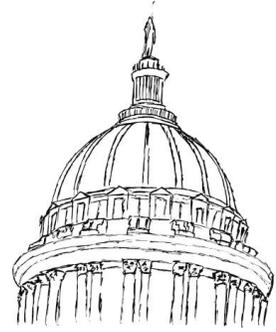
SUBJECT: Physical education programs in schools

Senate Bill 36 becomes effective July 1, 2019. This bill removes the requirement that school districts provide parents/guardians with annual physical activity reports.

- Section 1(E): Removes the requirement that school districts provide an annual student physical activity report to parents or guardians.

Should you have any questions related to this bill, please contact the Office of Accreditation at (405) 521-3355 or Ms. Carolyn Thompson, Chief of Government Affairs, at (405) 522-3520.

Amendment to: 70 O.S. §11-103.9



S.B. 48

RE: S.B. 48

SUBJECT: Treatment of cystic fibrosis in schools

Senate Bill 48 becomes effective July 1, 2019. This bill allows students to self-administer replacement pancreatic enzymes for the purpose of treating cystic fibrosis.

Existing law requires districts to adopt policies permitting the self-administration of certain medications by students with the written authorization of a parent or legal guardian and accompanying statement from the treating physician.

- Section 1(A): Requires school boards to adopt a policy to allow for the self-administration of replacement pancreatic enzymes by a student for treatment of cystic fibrosis.
- Section 1(I)(1): Defines “medication” to include replacement pancreatic enzymes prescribed by a physician and having an individual label for purposes of self-administration.
- Section 1(J): Directs permission for self-administration of replacement pancreatic enzyme medication to be effective for the school year for which it is granted and requires the permission to be renewed each school year.
- Section 1(K): Allows a student who is permitted to self-administer a replacement pancreatic enzyme medication to possess and use the medication at all times.

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

Amendment to: 70 O.S. §1-116.3



S.B. 58

RE: S.B. 58

SUBJECT: Election voting procedures

Senate Bill 58 becomes effective May 6, 2019. This bill requires employers to give employees two hours of time to vote either on election day or in-person absentee provided they have given at least three days advanced notice of their absence.

Existing law requires employers to allow employees two hours to vote.

- Section 1(A)(1): Requires the two hours allotted for voting to be either on the day of the election or on a day on which in-person absentee voting is allowed by law.
- Section 1(A)(3): Requires employees to notify their employer in writing or orally of their intention to be absent for voting at least three days preceding the day of the election or the day of in-person absentee voting. Allows employers to select the days and hours that employees are allowed time off to vote.
- Section 1(A)(4): Prohibits an employee from losing compensation or penalty for absence upon providing proof of voting.
- Section 1(B): Requires any employer who fails to comply with the law to receive a civil penalty of not less than \$50 nor more than \$100.

Should you have any questions related to this bill, please contact Mr. Brad Clark, General Counsel, at (405) 522-3274 or Ms. Carolyn Thompson, Chief of Government Affairs, at (405) 522-3520.

Amendment to: 26 O.S. §7-101



S.B. 70

RE: S.B. 70

SUBJECT: State student record systems

Senate Bill 70 becomes effective July 1, 2019. This bill authorizes the OSDE to define requirements for the submission of data elements for the student information systems.

- Section 1(C): Authorizes the State Department of Education (OSDE) to define requirements for the submission of data elements in compliance with the Schools Interoperability Framework (SIF) version 1.5 for the student information systems and instructional management systems used by school districts statewide in compliance with state and federal statutes.

Should you have any questions related to this bill, please contact Mr. Erik Friend, Executive Director of Data Information Systems, at (405) 521-2198 or Ms. Carolyn Thompson, Chief of Government Affairs, at (405) 522-3520.

Amendment to: 70 O.S. §3-160



S.B. 83

RE: S.B. 83

SUBJECT: Commercial driver training

Senate Bill 83 becomes effective November 1, 2019. This bill requires that persons in training for Class A, B or C commercial licenses study the recognition, prevention, and reporting of human trafficking.

- Section 1(C)(1): Allows the Commissioner of Public Safety to require training on the recognition, prevention and reporting of human trafficking in the course of study for a Class A, B or C commercial license.
- Section 1(C)(2): Allows the Commissioner to identify and establish industry specific materials for use in the required instruction.

Should you have any questions related to this bill, please contact Ms. Tina Spence, Director of Compliance, Monitoring, & Pupil Transportation, at (405) 521-4513 or Ms. Carolyn Thompson, Chief of Government Affairs, at (405) 522-3520.

Amendment to: 47 O.S. §802



S.B. 85

RE: S.B. 85

SUBJECT: Opiate antagonists

Senate Bill 85 becomes effective July 1, 2019. This bill allows a school nurse or any person designated by the school administration to administer an opiate antagonist in the event of a suspected overdose.

- Section 1(A)(3): Defines “medical personnel at schools” to mean a certified school nurse or any other nurse employed by or under contract with a school, any licensed practitioner of the healing arts, or any person designated by the school administration to administer an opiate antagonist in the event of a suspected overdose.
- Section 1(D)(4): Defines “first responder” to include medical personnel at schools including any public or charter school, technology center school and institution of higher education.
 - Authorizes first responders to administer, without prescription, opiate antagonists when encountering an individual exhibiting signs of an opiate overdose and to provide opiate antagonists to individuals who experienced or witnessed an opiate overdose for use at a later date.
- Section 2(A): Authorizes any school nurse, public health nurse, license practitioner of the healing arts, nurse working under contract with a school district or any person designated by the school administration to administer an opiate antagonist in the event of a suspected overdose.
- Section 2(B): Allows the administration of a public school to authorize one or more persons employed by the school to receive training offered by the Department of Mental Health and Substance Abuse Services, a law enforcement agency or any other entity in recognizing the signs of an opiate overdose and administering an opiate antagonist.
 - Designates persons that may receive training including but not limited to the staff members required to receive annual training in cardiopulmonary resuscitation and the Heimlich maneuver.
 - Allows opiate antagonist training materials to be accessed online through the State Department of Health or another entity if in-person training is not readily available in the area of the designated person(s).

- Requires the training to include information on how to spot symptoms of an overdose, basic resuscitation techniques, proper administration of an opiate antagonist and the importance of calling 911.
- Section 2(C): Allows the school administration to authorize any person to administer an opiate antagonist to a student or other individual exhibiting signs of an overdose in the absence of the person or persons specifically designated and trained to do so.
- Section 2(D): Allows any person administering an opiate antagonist to a student or other individual at a school site or school-sponsored event in a manner consistent with addressing an opiate overdose to be covered under the Good Samaritan Act. Provides immunity to a school and any of its employees or designees from civil liability in relation to the administration of an opiate antagonist in the event of a suspected overdose.

NOTE: This bill makes other changes to those who can administer opiate antagonists not relevant to schools.

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

New law at: 70 O.S. §1210.242

Amendment to: 63 O.S. §1-2506.1



S.B. 92

RE: S.B. 92

SUBJECT: School accreditation

Senate Bill 92 becomes effective November 1, 2019. This bill requires schools to be evaluated for accreditation every four years on a schedule determined by the State Board of Education, provided the Board may interrupt the schedule for specific reasons and continue to evaluate schools annually for specific requirements of state and federal law.

- Section 1(A): Requires the State Board of Education to adopt standards for the accreditation of public schools in the state that are equal to or exceed nationally recognized accreditation standards to the extent that the standards are consistent with an academic results oriented approach to accreditation.
- Section 1(C): Requires that accreditation standards provide warnings, probation or non-accredited status for schools that fail to meet standards. Requires OSDE investigate a complaint for failure to provide educational services or failure to comply with accreditation standards within thirty days – changed from within ten days – of receiving the complaint.
 - Requires the OSDE to make a recommendation for warning, probation or non-accredited status to the State Board of Education within ninety days – changed from sixty days – if it determines that a school has failed to comply with the accreditation standards. Authorizes the Board to withdraw accreditation for the school if it does not comply within ninety days after a report is filed by the Department.
- Section 1(I): Directs the State Board of Education to adopt a schedule to conduct evaluations for school accreditation once every four years beginning in the 2019-2020 school year. Allows the Board to interrupt the schedule of evaluations for reasons including the following:
 - Change in the superintendent of the school district;
 - Determination that one or more district board members have not met the continuing education requirements;
 - Determination that the school district falsified information submitted to any public city, county, state or federal official or agency;

- Initiation of an investigation by the Board or law enforcement agency; or
- Other determination by the Board that standards for accreditation are not being met.
- Requires the schedule adopted by the Board to allow for school districts receiving no deficiencies for two consecutive years to be reviewed for accreditation less than annually. However, requires schools to be evaluated annually for the following purposes:
 - Local, state and federal funding;
 - Health and safety;
 - Certification requirements for teachers, principals and superintendents;
 - School board governance to include instructional and continuing education requirements for school board members; and
 - Any other requirements under state or federal law.
- Section 1(J): Requires a public school receiving a deficiency on its accreditation report to be evaluated annually to determine if it meets the accreditation standards. However, when the school receives no deficiencies for two consecutive years the school will be subject to the evaluation timeline established by the Board for accreditation.
- Section 2: Requires any school improvement plan that is not required to be submitted to the State Department of Education be reviewed by a regional accreditation officer at the time of the visit to the school district by an officer in accordance with the evaluation schedule set forth by the Board.

Should you have any questions related to this bill, please contact the Office of Accreditation at (405) 521-3335 or Ms. Carolyn Thompson, Chief of Government Affairs, at (405) 522-3520.

Amendment to: 70 O.S. §3-104.4, 3-154

Helpful statutory references: 70 O.S. §3-153



S.B. 94

RE: S.B. 94

SUBJECT: Public finance

Senate Bill 94 becomes effective November 1, 2019. This bill eliminates the position of the Oklahoma State Bond Advisor replacing it with a newly created position of Deputy Treasurer for Debt Management under the State Treasurer.

- Section 1(E): Requires the State Treasurer – changed from the Oklahoma State Bond Advisor – to provide support staff for the Council of Bond Oversight.
- Section 2: Eliminates the position of the Oklahoma State Bond Advisor, replacing it with the Deputy Treasurer for Debt Management to be employed by the State Treasurer and directs the individual to carry out the duties related to debt management and the Council of Bond Oversight.
- Sections 3-12: Replaces the term “Oklahoma State Bond Advisor” with “Deputy Treasurer for Debt Management” or “State Treasurer” throughout the respective statutes.
- Section 8(25): Defines “State Bond Advisor” to mean the Deputy Treasurer for Debt Management or his or her designee.

Should you have any questions related to this bill, please contact Ms. Renee McWaters, Executive Deputy Director of State Aid, at (405) 522-0124 or Ms. Carolyn Thompson, Chief of Government Affairs, at (405) 522-3520.

Amendments to: 62 O.S. §695.6a, 695.7, 695.8, 695.9, 695.10a, 695.11, 695.19, 695.23, 695.24, 695.25, 34.200-1, 73 O.S. §156.1



S.B. 111

RE: S.B. 111

SUBJECT: Oklahoma Native American Day

Senate Bill 111 becomes effective September 1, 2019. This bill designates Oklahoma Native American Day as the second Monday in October.

- Section 1: Changes Oklahoma Native American Day from the third Monday in November to the second Monday in October each year. Directs teachers and students to observe the day with appropriate activities.

NOTE: The second Monday in October is also historically Columbus Day.

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

Amendment to: 25 O.S. §90.12



S.B. 163

RE: S.B. 163

SUBJECT: Sex Offender Registration Act notification requirements

Senate Bill 163 becomes effective November 1, 2019. This bill broadens the population of sex offenders required to report to the DHS statewide centralized hotline to include any person required to register who resides with a minor child.

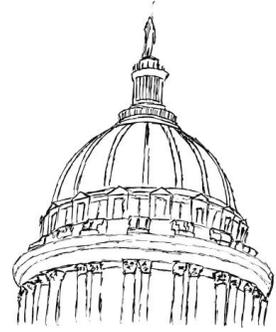
Existing law requires any person subject to the provisions of the Sex Offenders Registration Act *who resides with a minor child as the parent, stepparent, or grandparent* of the minor child, provided the minor child was not the victim of the offense for which the person is required to register, to report to the Department of Human Services (DHS) statewide centralized hotline the name and date of birth of any and all minor children residing in the same household and the offenses for which the person is required to register within three days of intent to reside with a minor child.

- Section 1(H): Broadens those persons required to register as a sex offender to *any* person residing with a minor child, rather than only those who are a parent, stepparent or grandparent of the minor child.

Section 2(B): Requires any person, regardless of whether they are a parent, stepparent or grandparent, subject to the provisions of the Sex Offenders Registration Act who resides with a minor child to report to the DHS statewide centralized hotline the name and date of birth of any and all minor children residing in the same household and the offenses for which the person is required to register within three days of intent to reside with a minor child.

Should you have any questions related to this bill, please contact Mr. Brad Clark, General Counsel, at (405) 522-3274 or Ms. Carolyn Thompson, Chief of Government Affairs, at (405) 522-3520.

Amendment to: 57 O.S. §584, 590



S.B. 193

RE: S.B. 193

SUBJECT: Accreditation for schools procedures

Senate Bill 193 becomes effective July 1, 2019. This bill updates the so-called “moratorium” whereby certain mandates would go back into place for districts.

- Section 1(H)(2): Allows for accreditation penalties to be assessed against school districts not meeting library media standards during the fiscal year immediately succeeding the legislative session where the funding formula appropriation is at least \$50 million more than the amount appropriated for the fiscal year ending June 30, 2019, not including any amount of appropriations dedicated for support or certified employee salary increases.
 - Requires accreditation to not be withdrawn from nor denied nor a penalty be assessed against a school district for failing to meet the media personnel standards for accreditation.
- Section 1(I)(2): Requires accreditation financial penalties to be assessed against a school district beginning July 1, 2021 for not meeting classroom size for kindergarten and first grade if the funding formula appropriation for the fiscal year ending June 30, 2022 is at least \$100 million more than the amount of money appropriated for the fiscal year ending June 30, 2019, not including any amount of appropriations dedicated for support or certified employee salary increases.
- Section 1(I)(3): Requires the State Department of Education to submit a report on statewide classroom sizes to the Speaker of the House and the President Pro Tempore of the Senate no later than January 1, 2022.
- Section 2(A)(2): Requires school districts to form, convene or participate in any advisory council or committee required by any policy, rule or law, including but not limited to the requirement to convene an advisory council when preparing the school improvement plan, during the fiscal year immediately succeeding the legislative session where the funding formula appropriation is at least \$50 million more than the amount appropriated for the fiscal year ending June 30, 2019, not including any amount of appropriations dedicated for support or certified employee salary increases.
- Section 3(E): Requires school districts to appoint a local textbook committee, adopt textbooks, submit a textbook plan, and expend money on the purchase of textbooks, provided they have not made a request for flexibility, during the fiscal year immediately

succeeding the legislative session where the funding formula appropriation is at least \$50 million more than the amount appropriated for the fiscal year ending June 30, 2019, not including any amount of appropriations dedicated for support or certified employee salary increases.

NOTE: HB 2765 appropriates \$74,790,265 to the funding formula outside of funding for certified employee salary increases; therefore, Sections 1(H), 2(A) and 3(E) will be in effect for the 2019-2020 school year. The Legislature is required to appropriate another \$25,209,735 in order for Section 1(I)(2) to be in effect for the 2021-2022 school year.

Should you have any questions related to this bill, please contact the Office of Accreditation at (405) 521-3335, or Ms. Carolyn Thompson, Chief of Government Affairs, at (405) 522-3520.

Amendment to: 70 O.S. §3-104.4, 3-167, 16-111

Helpful statutory references: 70 O.S. §16-114a, 5-117.4, 18-113.1, 18-113.2



S.B. 194

RE: S.B. 194

SUBJECT: Teacher candidates

Senate Bill 194 becomes effective July 1, 2019. This bill removes the requirement that elementary and early childhood teacher education candidates pass the Oklahoma Reading Test (ORT) prior to graduation.

- Section 1(D): Removes the requirement that teacher candidates enrolled in an institution within the Oklahoma State System of Higher Education in elementary and early childhood education programs approved by the Commission for Educational Quality and Accountability to pass, prior to graduation, a comprehensive assessment to measure their teaching skills in the area of reading instruction.
 - Maintains the requirement for teacher candidates in a special education program to pass a comprehensive assessment to measure their teaching skills in the area of reading instruction.

NOTE: The subject area assessment for elementary and early childhood education measures teaching skills in the area of reading instruction.

Should you have any questions related to this bill, please contact Dr. Robyn Miller, Deputy Superintendent of School Support & Accountability, at (405) 521-3332 or Ms. Carolyn Thompson, Chief of Government Affairs, at (405) 522-3520.

Amendment to: 70 O.S. §1210.508F



S.B. 198

RE: S.B. 198

SUBJECT: Social Media

Senate Bill 198 becomes effective November 1, 2019. This bill requires all agencies and political subdivisions to adopt a social media policy for employees using these platforms for work.

- Section 1(A): Requires all state agencies and political subdivisions to adopt a social networking and social media policy for the use of social media by state employees in order to discourage abusive or offensive online behavior.
 - Defines “social networking or social media” to mean interaction with external websites/services based on participant contributions including professional networks, blogs, micro blogs, video or photo sharing and social bookmarking.
 - Defines “comment” to mean a response to an article or content by a commenter.
- Section 1(B): Requires social media and social networking policies to apply to all state employees and employees of any political subdivision that use social media or social networking for work purposes.
- Section 1(C): Requires policies to discourage the sharing of content or comments by employees that are directed at a citizen of Oklahoma and contain:
 - Obscene sexual content or links to obscene sexual content;
 - Abusive behavior or bullying language or tone;
 - Conduct or encouragement of illegal activity; or
 - Disclosure of information that an agency is required to keep confidential.
- Section 1(D): Requires distribution to all employees.
- Section 1(E): Exempts the state or political subdivision from liability if a loss or claim results from any action undertaken in their discretion according to these requirements.

Should you have any questions related to this bill, please contact Mr. Brad Clark, General Counsel, at (405) 522-3274 or Ms. Carolyn Thompson, Chief of Government Affairs, at (405) 522-3520.

New law at: 74 O.S. §840-8.1



S.B. 217

RE: S.B. 217

SUBJECT: Teacher certification

Senate Bill 217 becomes effective July 1, 2019. This bill requires the State Board of Education to approve providers for alternative pathways to teacher certification in a five-year pilot program.

- Section 1(A): Defines “provider” to mean an eligible entity that seeks or has obtained approval as an alternative teacher preparation program.
 - Defines “program” to mean content provided by a provider that leads toward licensure in a specific content area.
- Section 1(B): Directs the State Board of Education to identify providers, through an application process, to implement new and innovative pathways toward teacher certification on a pilot program basis.
- Section 1(C): Requires providers chosen by the Board to offer a program that
 - provides evidence and history of fiscal solvency, capacity, operation and program effectiveness;
 - provides evidence of necessary infrastructure to provide accurate, timely and secure data for the purpose of admission, teacher candidate monitoring, testing and certification recommendations;
 - has policies and procedures in place ensuring the security of teacher candidate records under applicable laws and regulations;
 - has the instructional capacity or ability to obtain the instructional capacity to provide adequate instruction;
 - offers an instructional phase that provides intensive preparation before the teacher candidates assume classroom responsibilities;
 - offers a research-based and results-oriented approach focused on best teaching practices to increase student achievement and growth measured against state academic standards;

- provides assessment, supervision and evaluation of teacher candidates to support efforts to successfully complete the program;
 - provides intensive and ongoing professional development opportunities that accelerate a teacher candidate's professional growth, support student learning and provide a workplace orientation, professional staff development and mentoring;
 - offers peer review focused on standards of professional practices and continuous professional growth; and
 - provides a process to review a teacher candidate's final competency of required certification content standards that leads to a potential candidate being recommended for teacher certification.
- Section 1(D): Requires providers allow teacher candidates to demonstrate pedagogy and content standard proficiency in both school-based programs and non-traditional means such as previous work experience, teacher experience, educator evaluations, industry-recognized certifications and other equivalent demonstrations.
 - Section 1(E): Authorizes the Board to suspend or revoke approval if a provider fails to meet or is deficient in any of the requirements, after notification of the deficiencies and an opportunity to remedy the deficiencies.
 - Section 1(F): Requires teacher candidates that complete a program offered by an approved provider to be eligible for certification if the candidate has successfully passed the required competency examinations.
 - Section 1(G): Requires the Board to issue a certification to teach to any person who meets the requirements and who has on file a current Oklahoma criminal history record check from the OSBI as well as a national criminal history record check.
 - Section 1(H): Requires providers to submit a report to the OSDE after one year of operation showing the percentage of teacher candidates who have completed the program and who have successfully completed or failed the competency examinations and the provider's efforts to help candidates successfully pass the examinations.
 - Section 1(I): Allows the Board to promulgate rules to implement the pilot program.
 - Section 1(J): Requires the pilot program to end no later than July 1, 2024.

Should you have any questions related to this bill, please contact Mr. Jeff Smith, Executive Director of Teacher Certification, at (405) 522-3238 or Ms. Carolyn Thompson, Chief of Government Affairs, at (405) 522-3520.

New law at: 70 O.S. §6-133

Helpful statutory references: 70 O.S. §187, 74 O.S. §150.9



S.B. 259

RE: S.B. 259

SUBJECT: Reception of photographic images

Senate Bill 259 becomes effective November 1, 2020. This bill allows all state agencies approved to receive photographs or computerized images to obtain them through OLETX and/or NLETS.

Existing law requires that the Department of Public Safety retain the images displayed on licenses and identification cards, to be used by law enforcement for investigations (criminal or otherwise), or by a driver licensing agency in another state for its official purposes.

- Section 1(S): Allows all agencies approved by the Oklahoma Law Enforcement Telecommunications System (OLETS) and/or through the National Law Enforcement Telecommunications System (NLETS) to receive photos or computerized images through OLETS or NLETS. However, photos or computerized images are to be obtained by law enforcement one inquiry at a time.

Should you have any questions related to this bill, please contact Mr. Brad Clark, General Counsel, at (405) 522-3274 or Ms. Carolyn Thompson, Chief of Government Affairs, at (405) 522-3520.

Amendment to: 47 O.S. §6-101



S.B. 268

RE: S.B. 268

SUBJECT: Oklahoma Open Meeting Act

Senate Bill 268 becomes effective August 29, 2019. This bill requires virtual charter schools to maintain a quorum of board members for the entire duration of a meeting.

- Section 1(A)(1): Requires a virtual charter school approved and sponsored by the Statewide Virtual Charter School Board to maintain a quorum of board members for the entire duration of a meeting whether using an in-person site, videoconference sites or a combination of both.

Should you have any questions related to this bill, please contact the Office of Accreditation at (405) 521-3335 or Ms. Carolyn Thompson, Chief of Government Affairs, at (405) 522-3520.

Amendment to: 25 O.S. §307.1



S.B. 271

RE: S.B. 271

SUBJECT: Requiring disclosure of federal funds

Senate Bill 271 becomes effective November 1, 2019. This bill requires all state agencies to annually disclose and rank all federally affiliated funds, programs and priorities and publish the report on their website.

- Section 1(A): Requires all state agencies to annually disclose in a separate written report and on their website all federal funds under control of the agency, and the programs associated with the funds, ranked in priority or in a descending order beginning with the federal funding source the agency relies on the greatest. Requires the information to include:
 - Description of any action required to be taken or prohibited to be taken by the agency as a condition for the receipt or continued receipt of the federal funds; and
 - Description of any action required to be taken or prohibited to be taken by any individual or lawfully recognized business or other entity as a condition for the benefits to be conferred as a result of the use of the federal funds.
- Section 1(B): Requires all state agencies to annually disclose in a separate written report and on their website the federal funds which require the agency to incur costs to implement in descending order with the most costly federal funds first.
- Section 1(C): Exempts any agency receiving and administering federal funds that require the agency to maintain a level of security clearance for the federal funds.

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. §34.42.1



S.B. 316

RE: S.B. 316

SUBJECT: Agency agreements

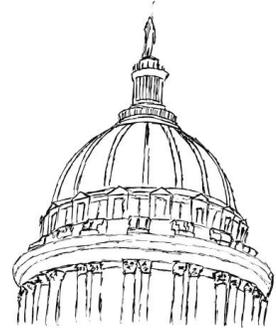
Senate Bill 316 becomes effective November 1, 2019. This bill creates the Government Transparency Act, requiring a report of all agency Memorandums of Understanding or Agreement to be published within 15 business days.

- Section 2(B): Requires any state agency entering into a Memorandum of Understanding or Memorandum of Agreement with any agency, department or organization receiving appropriated money, grants, contracts from this State, any other state or funds from the U.S. Government to publish online a report within 15 days of the effective date of the Memorandum and post the documents at documents.ok.gov. Requires reports to include:
 - Effective date of the Memorandum;
 - Duration of the Memorandum;
 - The entities subject to the Memorandum;
 - The purpose of the Memorandum; and
 - The constitutional or statutory provision allowing for the subject addressed.
- Section 2(C): Directs any state agency entering into a Memorandum while the state Legislature is in session to provide a copy to the appropriate legislative committee chair.
- Section 2(D): Exempts information privileged under the Open Records Act provided a report is published indicating the entities included in the privileged Memorandum.
- Section 2(E): Requires every Memorandum of Understanding or Memorandum of Agreement between departments or agencies of the state to also cite the constitutional or statutory authority for the Memorandum. Requires Memorandums between any agency, department, or organization receiving appropriated money, grants, contracts from this State, any other state or funds from the U.S. government to cite the authority granted in the state constitution, statute or the U.S. Constitution.

Should you have any questions related to this bill, please contact Mr. Brad Clark, General Counsel, at (405) 522-3274 or Ms. Carolyn Thompson, Chief of Government Affairs, at (405) 522-3520.

New law at: 74 O.S. §3121-3122

Helpful statutory references: 74 O.S. §3301



S.B. 361

RE: S.B. 361

SUBJECT: Higher Education

Senate Bill 361 becomes effective July 1, 2019. This bill prohibits institutions of higher education from creating “free speech zones” or other designated areas of campus where expressive activities are prohibited and deems all outdoor areas of campus as public forums for the campus community.

- Sections 1(A): Defines a “public institution of higher education” to mean any institution within the Oklahoma State System of Higher Education or technology center schools overseen by the State Board of Career and Technology Education.
- Section 1(B): Requires any lawful verbal, written, audio-visual or electronic means of communicating ideas, including all forms of peaceful assembly, protests, speeches and guest speakers, distribution of literature, carrying signs and circulating petitions to be protected as expressive activities.
- Section 1(C): Establishes the outdoor areas of campuses of public institutions of higher education in the state as public forums for the campus community and prohibits institutions of higher education from creating “free speech zones” or other designated areas of campus outside of which expressive activities are prohibited.
 - Allows public institutions of higher education to maintain and enforce reasonable time, place and manner restrictions provided they are narrowly tailored in service of a significant institutional interest, and only when the restrictions have clear, published, content- and viewpoint-neutral criteria and provide ample alternative means of expression. Allows members of the campus community to spontaneously and contemporaneously assemble and distribute literature regardless of the restriction.
- Section 1(D)(1): Allows any person to engage in noncommercial expressive activity on campus as long as the conduct is not unlawful and does not disrupt the functioning of the institution.
- Section 1(D)(3): Allows institutions to prohibit, limit or restrict expression not protected by the First Amendment as well as harassment.

- “Harassment” is defined to mean only expression that is unwelcome, so severe, pervasive and offensive that a student is effectively denied equal access to educational opportunities or benefits.
- Section D(4): Prohibits individuals from being protected for conduct that intentionally, materially and substantially disrupts another person’s expressive activity if that activity is occurring in a campus space reserved for that activity under the exclusive use or control of a particular group.
 - “Materially and substantially disrupts” is defined to mean when a person with intent or knowledge of doing so, significantly hinders another’s expressive activity, prevents communication of the message or the transaction of business of a lawful meeting. Clarifies that conduct that materially disrupts shall not include conduct that is protected under the First Amendment.
- Section 1(E): Requires institutions to make policies, regulations and expectations of students regarding free expression public through a variety of means.
- Section 1(F): Requires institutions to ensure that persons responsible for discipline and education of students are aware of and understand these policies.
- Section 1(G): Requires each institution to post on their website and submit a report to the Governor and Legislature detailing their course of action in order to comply annually by December 31, which includes any changes or updates as necessary. Requires any institution that is sued for an alleged violation of the First Amendment to submit a report of the complaint to the Governor and Legislature within 30 days.
- Section 1(H): Allows any person or student organization who is aggrieved by a violation to bring action against the institution and employees in their official capacity and seek appropriate relief. Also, allows an aggrieved person or organization to assert the violation as a defense or counter claim in any proceeding.
- Section 1(I): Requires any suit to be brought within one year of the violation.
- Section 1(J): States that if a provision of this statute is held to be unconstitutional, the remainder of the statute shall continue to be in full force and effect.

Should you have any questions related to this bill, please contact Mr. Brad Clark, General Counsel, at (405) 522-3274 or Ms. Carolyn Thompson, Chief of Government Affairs, at (405) 522-3520.

New law at: 70 O.S. §2120



S.B. 378

RE: S.B. 378

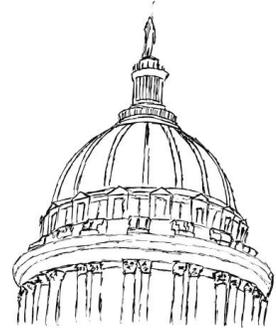
SUBJECT: Driver license examiners

Senate Bill 378 becomes effective November 1, 2019. This bill allows public or private commercial truck driving schools that have programs for Class A, B or C licenses in Oklahoma the ability to hire and employ designated examiners that can administer the driving skills portion of the Class A, B or C Oklahoma driving exam.

- Section 1(E)(1): Authorizes the Commissioner of Public Safety to approve applications for any public or private commercial truck driving schools that have instruction programs for Class A, B or C licenses that request to hire and employ designated examiners to administer the driving skills portion of the Oklahoma examination.
 - Allows those hired as designated examiners to become approved third-party examiners to administer the Class A, B or C driving skills portion of the Oklahoma examination.
- Section 1(E)(2): Directs the Department to adopt a curriculum of required courses and trainings to be offered by the third-party examiners. Requires the courses and training for certification to meet the same standards required for commercial driver examiners from the Department of Public Safety.
- Section 1(E)(3): Requires the Department to conduct annual nationwide criminal history background checks on each third-party examiner and third-party examiner applicant. Requires fees for background checks to be the responsibility of the third-party examiner or applicant.
- Section 1(F): Directs the Department of Public Safety to promulgate rules no later than December 15, 2019.

Should you have any questions related to this bill, please contact Ms. Tina Spence, Director of Compliance, Monitoring & Pupil Transportation, at (405) 521-4513 or Ms. Carolyn Thompson, Chief of Government Affairs, at (405) 522-3520.

Amendment to: 47 O.S. §6-110



S.B. 381

RE: S.B. 381

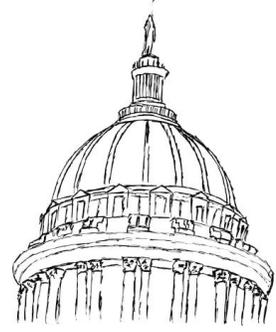
SUBJECT: School policy on administering medication

Senate Bill 381 becomes effective July 1, 2019. This bill permits schools to stock inhalers and administer an inhaler to a student believed to be in respiratory distress.

- Section 1(B): Allows school boards to elect to stock inhalers in addition to Epinephrine injectors, provided policies are amended to reflect the addition.
- Section 1(B)(2): Requires the school district policy to include:
 - A means to inform the each parent or legal guardian in writing that a school nurse or school employee trained by a health care professional can administer an inhaler to a student whom the school in good faith believes is under respiratory distress;
 - Designation of an employee to be responsible for obtaining the inhalers and spacers or holding chambers at each school site; and
 - Notifying the parent or legal guardian after the inhaler has been administered.
- Section 1(D): Allows a licensed physician who has prescriptive authority to write a prescription for inhalers and spacers or holding chambers to the school district in the name of the district as a body corporate.
- Section 1(E): Authorizes a school district to maintain a minimum of two inhalers with spacers or holding chambers at each school site in a secure location.
- Section 1(I): Defines “respiratory distress” to mean the perceived or actual presence of coughing, wheezing or shortness of breath and “inhaler” to mean a device that delivers a bronchodilator to alleviate symptoms of respiratory distress that is manufactured in the form of a metered-dose inhaler or dry-powder inhaler that that may include a spacer or holding chamber that attaches to the inhaler to improve the delivery of the medication.

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

Amendment to: 70 O.S. §1-116.3



S.B. 382

RE: S.B. 382

SUBJECT: Safe school committees

Senate Bill 382 becomes effective July 1, 2019. This bill requires safe school committees to develop recommendations related to recognizing and reporting suspected human trafficking.

- Section 1(B)(5): Requires the Safe School Committee to study and make recommendations to the principal on professional development needs of faculty and staff to recognize and report suspected human trafficking.

Should you have any questions related to this bill, please contact the Office of Accreditation at (405) 521-3335 or Ms. Carolyn Thompson, Chief of Government Affairs, at (405) 522-3520.

Amendment to: 70 O.S. §24-100.5



S.B. 430

RE: S.B. 430

SUBJECT: Criminal history records

Senate Bill 430 becomes effective July 1, 2019. This bill authorizes the OSBI to process background checks, and by extension allowing any agency including the State Department of Education, to process background checks under the federal National Child Protection Act/Volunteers for Children Act (NCPA/VCA).

- Section 1(B)(1): Authorizes the Oklahoma State Bureau of Investigation (OSBI) to conduct and receive results of national criminal history record checks for authorized purposes pursuant to Public Law 92-544, the National Child Protection Act/Volunteers for Children Act (NCPA/VCA) as amended, with or without a Volunteer and Employee Criminal History System (VECHS) waiver program or any other federal authorizing statute.
 - Directs the OSBI to only release the results of national criminal history record checks to entities authorized to receive the results pursuant to federal law.

Should you have any questions related to this bill, please contact Mr. Jeff Smith, Executive Director of Teacher Certification, at (405) 522-3238 or Ms. Carolyn Thompson, Chief of Government Affairs, at (405) 522-3520.

Amendment to: 74 O.S. §150.9

Helpful statutory references: 70 O.S. §5-142, 6-190



S.B. 441

RE: S.B. 441

SUBJECT: School calendar

Senate Bill 441 becomes effective September 1, 2019. This bill requires schools to be in session no fewer than 180 days or 1,080 hours through the 2020-2021 school year. Beginning in the 2021-2022 school year, requires that schools be in session no less than 1,080 hours and no fewer than 165 days each year unless meeting minimum guidelines established by the State Board.

Existing law requires schools to be in session for not less than 180 days or 1080 hours.

- Section 1(A)(3): Requires schools to be in session no less than 1,080 hours and no fewer than 165 days each year, beginning in the 2021-2022 school year, provided the district board of education has adopted a school-hours policy and notifies the State Board of Education prior to October 15 of the applicable school year.
- Section 1(A)(4): Allows a school to be in session for no less than 1,080 hours without restriction, beginning in the 2021-2022 school year, provided the district has adopted a school hours policy and notifies the State Board of Education prior to October 15 of the applicable school year and meets the requirements set by the Board.
- Section 1(H): Requires the Board to establish minimum guidelines for student performance and school district cost savings for schools requesting to be in session for 1,080 hours without restriction, beginning in the 2021-2022 school year.
 - Requires the State Board to promulgate rules, subject to Legislative approval.
- Section 1(K): Allows the Oklahoma School for the Blind and the Oklahoma School for the Deaf to adopt an alternative school-hours policy if they notify and receive approval from the State Board of Education prior to the October 15 of the applicable school year.

Should you have any questions related to this bill, please contact the Office of Accreditation at (405) 521-3335 or Ms. Carolyn Thompson, Chief of Government Affairs, at (405) 522-3520.

Amendment to: 70 O.S. §1-109, 4516



S.B. 446

RE: S.B. 446

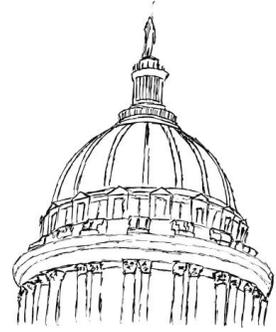
SUBJECT: Mental health in schools

Senate Bill 446 becomes effective July 1, 2019. This bill directs OSDE and ODMHSAS to develop training and resources to help school employees recognize and address the mental health needs of students.

- Section 1(A): Directs the State Department of Education (OSDE) and the Department of Mental Health and Substance Abuse Services (ODMHSAS), in consultation with school boards and superintendents, to develop and make available to school districts information, training and resources to help school employees recognize and address the mental health needs of students.
- Section 1(B): Requires that the information made available to school districts include but not be limited to
 - information about the services provided by community-based organizations related to mental health, substance abuse and trauma;
 - information about the impact trauma and adverse childhood experiences can have on a student's ability to learn;
 - availability of mental health evaluation and treatment available via telemedicine; and
 - information about evidence-based strategies for prevention of at-risk behaviors.

Should you have any questions related to this bill, please contact Ms. Shelly Ellis, Deputy Superintendent of Student Support, at (405) 522-3263 or Ms. Carolyn Thompson, Chief of Government Affairs, at (405) 522-3520.

New law at: 70 O.S. §6-194.3



S.B. 496

RE: S.B. 496

SUBJECT: Voter registration procedures

Senate Bill 496 becomes effective November 1, 2019. This bill allows any person who is at least 17.5 years of age to submit a voter registration application and become registered upon their eighteenth birthday.

- Section 1(B): Allows any person who is at least 17 years and 6 months of age, but less than 18 years of age, to submit a voter registration application and be entitled to become a registered voter of the precinct of residence upon his or her eighteenth birthday.
- Section 2(E): Allows a person to automatically become registered to vote on his or her eighteenth birthday if the person has submitted an application, regardless of the time the application is received or approved.
- Section 3(B): Requires the county election board secretary to transmit the new voter identification card as acknowledgement of the transaction for those who have applied and become registered on their eighteenth birthday.

Should you have any questions related to this bill, please contact Ms. Shelly Ellis, Deputy Superintendent of Student Support, at (405) 522-3263 or Ms. Carolyn Thompson, Chief of Government Affairs, at (405) 522-3520.

Amendment to: 26 O.S. §4-103, 4-110.1, 4-113



S.B. 513

RE: S.B. 513

SUBJECT: Sales and use tax

Senate Bill 513 becomes effective November 1, 2019. This bill requires all remote sellers meeting the annual Oklahoma taxable sales threshold to collect, report and remit sales/use tax on all Oklahoma sales.

Existing law apportions 10.46% of use tax to the Education Reform Revolving Fund (i.e., 1017 Fund) in addition to the required \$20,500,000 dedicated amount.

- Section 1(G)(1): Requires a remote seller with aggregate sales of tangible personal property within the state or that delivers to locations within the state subject to sales and use tax worth at least \$100,000 during the preceding or current calendar year to collect and remit the tax. Requires the tax collected and remitted to apply to the first calendar month succeeding the month when the threshold is met.
- Section 1(G)(2): Excludes sales in the state by a remote seller made through a marketplace forum or a referrer's platform where the tax is collected and remitted by the marketplace facilitator or referrer from the determination as to whether the remote seller has met the threshold amount.

NOTE: By requiring the collection and remission of sales/use tax from all remote sellers, these changes are expected to result in an increase in state sales/use tax; however, the amount of increase is unknown.

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: 68 O.S. §1392-1396

Helpful statutory references: 68 O.S. §1403



S.B. 575

RE: S.B. 575

SUBJECT: Medical consent under the Parents' Bill of Rights

Senate Bill 575 becomes effective July 1, 2019. This bill allows consent for specified medical and mental health assessments provided to a school district to be effective for the entire school year. Allows a parent to not have to be present during evaluation or treatment by telemedicine if the consent has been provided.

Existing law prohibits arranging or performing surgical procedures, physical exams, prescription of drugs and mental health assessment and therapy for a minor without written consent of the parent or legal guardian.

- Section 1(A): Allows written consent provided to a school district by a parent or legal guardian for physical assessment or treatment to be effective for the school year in which it was granted and requires annual renewal. Allows consent for assessment or treatment performed through telemedicine at a school site to satisfy the requirement of a parent being present at the site.
- Section 2(A): Allows written consent provided to a school district by a parent or legal guardian for mental health assessment or treatment to be effective for the school year in which it was granted and requires annual renewal. Allows consent for assessment or treatment performed through telemedicine at a school to satisfy the requirement of a parent being present at the site.

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

Amendment to: 25 O.S. §2004, 2005



S.B. 576

RE: S.B. 576

SUBJECT: Student abuse or neglect reports by school employees

Senate Bill 576 becomes effective July 1, 2019. This bill requires school employees who suspect a student under the age of 18 has been abused to report the suspected abuse to local law enforcement and DHS using the statewide centralized hotline and for students 18 or over solely to local law enforcement.

- Section 1(B)(2)(a): Requires *every school employee* having reason to believe that a student under the age of eighteen is a victim of abuse or neglect to report the matter immediately to the Department of Human Services (DHS) *and local law enforcement*. Requires reports to DHS be made to the hotline.
- Section 1(B)(2)(b): Requires *every school employee* having reason to believe that a student age eighteen or older is a victim of abuse or neglect to report the matter immediately to local law enforcement.
- Section 1(B)(2)(c): Requires local law enforcement to keep reports confidential and redact any information identifying the reporting employee unless ordered to do so by a court. Prohibits a school employee with knowledge of the report from disclosing the information identifying the reporting school employee unless ordered to do so by the court or as part of an investigation by law enforcement or DHS.

NOTE: The changes in this bill were also duplicated in 70 O.S. §1210.163.

Should you have any questions related to this bill, please contact the Office of Accreditation at (405) 521-3335 or Ms. Carolyn Thompson, Chief of Government Affairs, at (405) 522-3520.

Amendment to: 10a O.S. §1-2-101, 70 O.S. §1210.163



S.B. 583

RE: S.B. 583

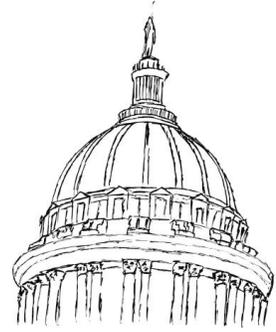
SUBJECT: Office of Management and Enterprise Services

Senate Bill 583 becomes effective November 1, 2019. This bill requires the Director of the OMES to submit a request for proposal for the ongoing maintenance of desktop support and management systems for all state agencies.

- Section 1(A): Requires the Director of the Office of Management and Enterprise Services (OMES) to initiate a request for proposal for the ongoing maintenance of desktop support and management systems for all state agencies by July 1, 2020 and authorizes the agency to enter into a contract for such services.
- Section 1(B): Requires the notice of the request for proposal to be published in the manner provided for competitive bidding and the awarded bidder must achieve guaranteed savings to the state in comparison with the cost of current desktop support and management provided by OMES.
- Section 1(C): Requires the Director of OMES to promulgate rules and establish procedures for implementation.

Should you have any questions related to this bill, please contact Mr. Keith Hicks, Executive Director of Operational Support, at (405) 522-2034 or Ms. Carolyn Thompson, Chief of Government Affairs, at (405) 522-3520.

New law at: 62 O.S. §34.203



S.B. 585

RE: S.B. 585

SUBJECT: Agency policy procedure

Senate Bill 585 becomes effective November 1, 2019. This bill requires OMES to notify agencies in advance when changing a policy and provide the agency an opportunity to respond.

- Section 1(A): Requires the Office of Management and Enterprise Services (OMES), when changing a policy affecting a state agency, to provide the agency with written notice no fewer than 30 days in advance of the policy's implementation.
- Section 1(B): Allows the affected agency to respond and request to be exempted from the policy change or request modifications to the policy after the notification and prior to the implementation of the policy. Requires a final notice to be given to the agency in writing explaining the changes to the policy prior to its implementation.
- Section 1(C): Exempts any policy changes made necessary by federal law or policy, or any other policy changes deemed an emergency by OMES.

Should you have any questions related to this bill, please contact Mr. Brad Clark, General Counsel, at (405) 522-3274 or Ms. Carolyn Thompson, Chief of Government Affairs, at (405) 522-3520.

New law at: 62 O.S. §34.202



S.B. 593

RE: S.B. 593

SUBJECT: Computer science in schools

Senate Bill 593 becomes effective July 1, 2019. This bill directs OSDE to develop a rubric by December 31, 2019 for computer science programs in elementary, middle and high schools to serve as a guide for schools implementing quality computer science programs.

- Section 1(A): Requires the State Department of Education (OSDE) to develop a rubric for computer science programs at all levels as a guide for schools in implementing quality programs.
- Section 1(B): Requires the rubric include the following:
 - No less than one computer science course taught by a teacher with a computer science certification at each school site that may include core content courses where computer science concepts are integrated; and
 - Career exploration activities available to all students that address how computer science skills are used.
- Section 1(C): Requires each course or offering to be aligned to the Oklahoma Academic Standards for Computer Science and current research-based instructional practices.
- Section 1(D): Prohibits the rubric from excluding virtual, distance, integrated or other innovative settings for instruction.
- Section 2(A): Directs the State Board of Education, subject to the availability of funds, to be allocated \$1 million to develop and implement high quality professional learning opportunities for computer science courses aligned to the rubric.
- Section 2(B): Authorizes the State Department of Education to create a grant program for the purpose of providing professional learning opportunities. Eligible grantees include:
 - A school district or a consortium of school districts; and
 - High-quality computer science professional learning providers such as higher education institutions, technology centers, non-profit organizations or private entities.

- Section 2(C): Directs grant funds to be used for the following purposes:
 - Up to 10% may be used to study the effectiveness of professional learning, curricula or other initiatives;
 - High-quality professional learning for computer science content including travel to workshops;
 - Credentialing for computer science teachers, including career and technology education endorsements and academic supplemental endorsements;
 - Mentoring and coaching;
 - Creation of instructional resources to support implementation including integrated curricular resources; and
 - Resources that align with the Oklahoma Academic Standards for Computer Science.
- Section 2(D): Allows grant funding to be used to purchase technology including software, hardware or infrastructure, provided it is directly connected to the grantee's ability to implement a quality computer science program. Requires applicants who intend to use grant funds to purchase technology to specify in the application the amount of funds to be used for technology and the items that will be purchased.
- Section 2(E): Authorizes the OSDE to prioritize grant applications for
 - partnerships with providers of high-quality professional learning for kindergarten through twelfth grade computer science;
 - strategies to enroll underserved populations of students; and
 - rural and urban areas with a low penetration of computer science offerings including school districts that partner together to form clusters of implementation.
- Section 2(F): Directs the State Board of Education to promulgate rules.

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

New law at: 70 O.S. §11-103.6m, 70 O.S. §11-103.6n



S.B. 601

RE: S.B. 601

SUBJECT: Reading Sufficiency Act

Senate Bill 601 becomes effective July 1, 2019. This bill makes several changes to the Reading Sufficiency Act including aligning the statute with performance expectations set by CEQA.

- Section 1(C): Eliminates language directing districts to ensure a majority of instructional time each day in grades kindergarten through three is focused on reading and math. Instead requires that districts ensure all students receive a well-rounded education that is focused on building deep foundations in reading and mathematics.
- Section 2(A): Requires each student enrolled in kindergarten to be screened at the beginning, *middle* and end of each school year for reading skills using a screening instrument approved by the State Board of Education.
 - Directs teachers to emphasize reading skills for students in kindergarten who are at risk for reading difficulties at the beginning of the year, monitor progress through the year, and measure *mid-year* and year-end reading progress.
 - Requires kindergarten students not meeting grade-level targets by mid-year in reading to be provided a program of reading instruction designed to enable the student to acquire the appropriate grade-level reading skills.
- Section 2(B): Requires each student in first, second and third grade to be assessed at the beginning, *middle* and end of each school year for reading skills using a screening instrument approved by the State Board of Education.
- Section 2(C): Requires first, second, and third grade students not meeting grade-level targets in reading to be provided a program of reading instruction designed to enable the student to acquire the appropriate grade-level reading skills.
- Section 2(E): Requires first and second grade students not meeting grade-level targets to receive supplemental instructional supports in reading until the student is determined to be meeting grade-level targets on a screening instrument.
- Section 2(I)(1): Exempts any first-, second- or third-grade student who demonstrates *end-of-year* proficiency in reading at the third-grade level through a screening instrument from retention.

- Section 2(I)(2): Defines “significant reading deficiency” to mean not meeting grade-level targets in terms of third grade students who must begin a reading portfolio.
- Section 2(I)(4): Establishes the minimum criteria for performance of a third grade student as being able to read and comprehend grade-level text. Clarifies that only the standards for reading foundations/processes and vocabulary portions of the statewide third-grade assessment are to be used, and not the other language arts portions of the assessment.
 - Directs the Commission for Educational Quality and Accountability (CEQA) to ensure that students are performing at grade-level on the reading foundations and vocabulary portions of the statewide third-grade assessment.
- Section 2(I)(5): Clarifies that students who do not meet the criteria for automatic promotion and do not meet the criteria established by CEQA – changed from students who score below proficiency – are to be evaluated for probationary promotion by the Student Reading Proficiency Team.
 - Eliminates references to the Achieving Classroom Excellence Act (ACE) and requires students who have qualified for probationary promotion to transition to a locally designed remediation plan after grade five which has the goal of ensuring that the student is on track to be college and career ready.
- Section 2(I)(6): Clarifies that students who do not meet the criteria for promotion, are not subject to a good cause exemption, do not qualify for probationary promotion, and do not meet the criteria established by CEQA – changed from students who score below proficiency – are to be retained in third grade and provided instructional supports.
- Section 2(L)(5): Updates Good Cause Exemption 5 to require that a student with an IEP that reflects the student has received intensive remediation in reading and has made adequate progress in reading pursuant to the student’s IEP not be retained.
- Section 2(L)(6): Updates Good Cause Exemption 6 to require a student previously retained in pre-k through second grade for academic reasons not be retained.
- Section 2(M): Eliminates the requirement that a student who receives a probationary promotion or is promoted for good cause be provided intensive reading instruction *in an altered instructional day*.
- Section 2(S): Changes the date by which the OSDE is to submit the annual Reading Sufficiency Report from December 31 to January 31.

Should you have any questions related to this bill, please contact Ms. Melissa Ahlgrim, Director of RSA, at (405) 522-1591 or Ms. Carolyn Thompson, Chief of Government Affairs, at (405) 522-3520.

Amendment to: 70 O.S. §1210.508B, 1210.508C



S.B. 695

RE: S.B. 695

SUBJECT: Ad valorem tax

Senate Bill 695 becomes effective November 1, 2019. This bill expands the list of manufacturing facilities that can delay the initiation of the five-year exemption period to those engaged in distribution under certain circumstances.

Existing law allows a qualifying manufacturing concern to be exempt from ad valorem taxes upon new, expanded or acquired manufacturing facilities for five years, which begins on January 1 following the initial qualifying use of the property. The five-year period for qualified facilities in tax incentive districts begins on January 1 following the expiration or termination of the ad valorem exemption, abatement or other incentive provided through the tax incentive district.

- Section 1(D)(2): Limits qualified facilities in tax incentive districts that can delay the claim for the five-year exemption to those that are primarily engaged in computer services and data processing for which 50% of annual gross revenues are from the sale of a product or service to an out-of-state buyer or consumer; and those that are primarily engaged in distribution provided the initial capital investment was at least \$180,000,000 and qualifying job creation and depreciable property investment occurred between 2013 and 2017.

NOTE: One known establishment exists that would be eligible to delay the exemption period. Claims against the ad valorem reimbursement fund are expected to increase in excess of \$3,000,000 in FY 22.

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: 68 O.S. §2902



S.B. 742

RE: S.B. 742

SUBJECT: Student absenteeism

Senate Bill 742 becomes effective July 1, 2019. This bill requires information on truancy and chronic absenteeism to be shared with the Department of Health and attendance of students with developmental disabilities with the Department of Human Services.

- Section 2(E): Requires district attorneys, beginning in the 2019-2020 school year, to submit annual reports, in compliance with FERPA, detailing instances where students were convicted of truancy to the Office of Child Abuse Prevention at the Department of Health.
- Section 3(A): Requires the State Department of Education (OSDE), beginning with the 2019-2021 school year, to submit to the Office of Child Abuse Prevention student and school data on chronic absenteeism.
- Section 3(B): Directs the OSDE and the Office of Child Abuse Prevention to establish a procedure for the exchange of information that complies with FERPA.
- Section 3(C): Requires the Office of Child Abuse Prevention or other staff of the Department of Health to review the reports of chronic absenteeism and when appropriate and resources are available, provide an assessment of the family to determine if services should be offered or a referral for services should be made.
- Section 3(D): Directs the OSDE to supply Child Welfare Services at the Department of Human Services with identifying information and updated and accurate school attendance reports of individuals with documented developmental disabilities. Further the State Board of Education and Child Welfare Services are required to establish a procedure for the exchange of information.

Should you have any questions related to this bill, please contact Mr. Brad Clark, General Counsel, at (405) 522-3274 or Ms. Carolyn Thompson, Chief of Government Affairs, at (405) 522-3520.

Amendment to: 63 O.S. §1-227.2, 70 O.S. §24-120

New law at: 70 O.S. §24-120.1



S.B. 772

RE: S.B. 772

SUBJECT: Teachers' retirement

Senate Bill 772 becomes effective July 1, 2019. This bill defines the individuals eligible to receive the employee contribution credit.

- Section 1(6)(a): Clarifies that a member who at the time of retirement has been found to be permanently physically or mentally incapacitated to perform the necessary duties to continue in his or her current position – changed from continue to teach school – will receive a minimum monthly retirement payment for life or until such time as the member may be found to be recovered to the point where he or she may return to teaching.
- Section 1(8-14): Clarifies the designation of a beneficiary versus joint annuitant for payment options upon a member's retirement. Requires the benefit payment for the month in which a retired member dies, if not previously paid, to be made to the joint annuitant if still living, to the beneficiary of the member if the joint annuitant is deceased, or to the member's estate if there is no surviving joint annuitant or beneficiary.
- Section 2(10): Requires the Board of Trustees to elect from its membership a chair, vice-chair, and secretary by a majority vote of all of its members.
- Section 2(17): Requires the Board of Trustees to retain an actuarial firm to be the technical advisors of the Board on matters regarding the operation of funds and to perform other duties as required.
- Section 3(A): Defines "person," for the purposes of the credit paid against the employee retirement contribution amount, to mean an individual employed by a school district or technology center school district, holding a valid certificate issued by the State Department of Education, or the State Board of Career and Technology Education, and employed on a full-time basis to serve as a teacher, principal, supervisor, administrator, superintendent, counselor, librarian or certified or registered nurse.

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: 70 O.S. §17-105, 17-106, 17-108.2, 17-116.2C, 17-116.9, 17-120

Repeals: 70 O.S. §17-116



S.B. 773

RE: S.B. 773

SUBJECT: Oklahoma Mental Health Loan Repayment Act

Senate Bill 773 becomes effective November 1, 2019. This bill creates the Oklahoma Mental Health Loan Repayment Program to provide educational loan repayment assistance for treatment providers who provide services in health professional shortage areas for mental health.

- Section 2(A): Directs the Department of Mental Health and Substance Abuse Services to administer the Oklahoma Mental Health Loan Repayment Program.
 - Authorizes the Department, dependent upon funding, to provide educational loan repayment assistance for mental health or substance abuse treatment providers that provide services in Health Professional Shortage Areas (HPSAs) for mental health.
 - Requires the Department to certify and properly review reports detailing services provided before disbursing a loan payment and establishes a maximum grant period not to exceed five years.
- Section 2(B): Requires any participating mental health or substance abuse treatment provider to agree to provide services to Medicaid recipients and individuals that lack health insurance coverage. Requires at least 25% of the patients treated by the provider to be Medicaid beneficiaries, uninsured, or a combination of both.
- Section 3: Directs the Department to determine the payment amount based on actual funds available for the program and existing student loan indebtedness of the participating provider.
- Section 4: Creates the Mental Health Loan Repayment Revolving Fund for the purpose of repaying mental health and substance treatment provider student loans.

Should you have any questions related to this bill, please contact Ms. Shelly Ellis, Deputy Superintendent of Student Support, at (405) 522-3263 or Ms. Carolyn Thompson, Chief of Government Affairs, at (405) 522-3520.

New law at: 63 O.S. §1-2730, 1-2731, 1-2732, 1-2732



S.B. 926

RE: S.B. 926

SUBJECT: School curriculum materials

Senate Bill 926 becomes effective July 1, 2019. This bill requires schools that choose to offer sexual education courses to include information about consent.

- Section 1(A): Requires curriculum, materials, classes, programs, tests, surveys and questionnaires used for or in connection with a sex education class or program include information about consent.
 - Defines “consent” to mean the affirmative, unambiguous and voluntary agreement to engage in a specific sexual activity during a sexual encounter which can be revoked at any time. (NOTE: See 21 O.S. §113 for additional information.)

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

Amendment to: 70 O.S. §11-105.1

Helpful statutory reference: 21 O.S. §113



S.B. 971

RE: S.B. 971

SUBJECT: Law enforcement training regarding sexual assault

Senate Bill 971 becomes effective November 1, 2019. This bill establishes continuing education on trauma-informed sexual assault response and intervention for all CLEET-certified officers.

- Section 1(A): Requires CLEET to establish appropriate training resources that include policies and protocols for the collection and maintenance of sexual assault kits and continuing education on trauma-informed sexual assault response and intervention. Requires all CLEET-certified law enforcement officers to complete the training on a regular basis to be determined by CLEET.
- Section 2(L): Requires CLEET to establish appropriate training resources focused on protocol for handling and processing sexual assault calls by November 1, 2019. Requires the training to include but not be limited to the following:
 - How to handle the sexual assault call upon first contact;
 - Determining when the assault occurred;
 - Where to take the victim, questioning witnesses and collecting evidence; and
 - Informing and assisting the victim in accessing resources, help and information.

Should you have any questions related to this bill, please contact Ms. Shelly Ellis, Deputy Superintendent of Student Support, at (405) 522- 3263 or Ms. Carolyn Thompson, Chief of Government Affairs, at (405) 522-3520.

Amendment to: 70 O.S. §3311.4, 3311.5



S.B. 988

RE: S.B. 988

SUBJECT: Educational service contractors

Senate Bill 988 becomes effective April 25, 2019. This bill repeals the prohibition on employees of educational service contractors from receiving unemployment benefits between terms of payment.

Existing law generally prevented employees of educational service contractors, who performed services in an instructional, research or principal administrative capacity for an educational institution, from being paid and receiving benefits between two regular but not successive terms if there was a reasonable assurance the individual could continue to perform such services. In addition, if the individual was performing services in any other capacity for an educational service contractor, the existing law prevented such employee from being paid and receiving benefits between successive academic years.

- Section 1: Repeals this prohibition, allowing for payment and benefits in between terms of service.

Should you have any questions related to this bill, please contact Mr. Brad Clark, General Counsel, at (405) 522- 3274 or Ms. Carolyn Thompson, Chief of Government Affairs, at (405) 522-3520.

Repeals: 40 O.S. §2-209.1



S.B. 1030

RE: S.B. 1030

SUBJECT: Medical Marijuana

Senate Bill 1030 becomes effective August 29, 2019. This bill broadens the scope for actions that may or may not be taken in regard to medical marijuana based on the potential to lose federal funds. The bill also requires a list of establishments to be published publicly.

- Section 3(A): Prohibits schools from refusing to enroll or otherwise penalize a person solely for his or her status as a medical marijuana holder, unless failing to do so would cause the school *the potential* to lose – changed from imminently lose – monetary or licensing-related benefits under federal law or regulations.
- Section 3(B): Prohibits employers from discriminating against a person in hiring, termination or imposing any term or condition of employment based on their status as a medical marijuana license holder unless a failure to do so would cause the employer *the potential* to lose – changed from imminently lose – monetary or licensing-related benefits under federal law or regulations.
- Section 3(F): Prohibits a city or municipality from unduly changing or restricting zoning laws to prevent the opening of a retail marijuana establishment. Defines “undue change” to mean an act which entirely prevents retail marijuana establishments from operating within municipal boundaries as a matter of law.
- Section 4(D): Requires the Department of Health to make available to all political subdivisions a list of marijuana-licensed premises, medical marijuana businesses and any other marijuana premise to aid county and municipal governments in identifying locations to ensure compliance with local regulations.

NOTE: This bill makes a variety of other changes to the Oklahoma Medical Marijuana and Patient Protection Act that do not affect schools.

Should you have any questions related to this bill, please contact Mr. Brad Clark, General Counsel, at (405) 522-3274 or Ms. Carolyn Thompson, Chief of Government Affairs, at (405) 522-3520.

Amendment to: 63 O.S. §425

New law at: 63 O.S. §427



S.B. 1038

RE: S.B. 1038

SUBJECT: Occupational therapy

Senate Bill 1038 becomes effective November 1, 2019. This bill authorizes occupational therapy to be conducted via telehealth.

- Section 1: Expands the definition of “occupational therapy” to include services provided via telehealth.
 - “Telehealth” is defined to mean the use of electronic information and telecommunications technologies to support and promote access to clinical health care, patient and professional health-related education, public health and health administration.
 - “Telerehabilitation” or “teletherapy” is defined to mean the delivery of rehabilitation and habilitation services via information and communication technologies (ICT) also referred to as telehealth technologies.

NOTE: This bill makes other changes to the Occupational Therapy Practice Act that do not relate to schools.

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

Amendment to: 59 O.S. §888.3, 888.5



S.B. 1047

RE: S.B. 1047

SUBJECT: Oklahoma Education Lottery Act

Senate Bill 1047 becomes effective July 1, 2019. This bill repeals the cap on lottery dollars, which required monies over and above the first \$50 million to be dedicated to schools for reading and STEM programs.

Existing law capped apportionments for net lottery revenue through the formula at \$50 million (45% common education, 45% higher education/CareerTech, 5% Teachers' Retirement System, 5% School Consolidation Assistance Fund), directing everything above to go to schools for reading and STEM programs.

- Section 1(B): Repeals the requirement for the first \$50,000,000 of net proceeds from the lottery be transferred to the Oklahoma Education Lottery Trust Fund. Removes the requirement that all proceeds remaining after the apportionment be transferred to the Oklahoma Education Lottery Trust Fund.
 - Requires the Oklahoma Lottery Commission to submit a written report of its findings and any recommendations regarding the impact of removing the requirement that net proceeds equal at least 35% of the gross proceeds (which occurred in 2017) to the Governor, Speaker of the House, and the President Pro Tempore of the Senate by October 1, 2020 an annually thereafter.
- Section 1(E)(3): Removes outdated language referring to the Achieving Classroom Excellence Act.
- Section 2: Repeals language requiring net revenues over \$50,000,000 to be distributed to schools based on ADA for reading and STEM programs.

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: 3A O.S. §713

Repeals: 3A O.S. §713.1



S.B. 1048

RE: S.B. 1048

SUBJECT: State Department of Education

Senate Bill 1048 becomes effective July 1, 2019. This bill sets budgetary expenditure limits for the State Board of Education.

- Section 1: Directs \$58,858,503 of the funds appropriated to the State Board of Education for the financial support of public schools in House Bill 2765 be spent on providing an increase in compensation for certified personnel of schools.
 - Defines certified personnel to mean a certified person employed on a full-time basis to serve as a teacher, principal, supervisor, administrator, counselor, librarian, or certified or registered nurse, but does not include a superintendent of a school district.
 - Requires the salary increase to be in addition to, and not as a replacement for, the step increases indicated in the minimum salary schedule.
 - Requires school districts to report the amount of increase in compensation each teacher received as a result to the OSDE no later than December 31, 2019. Directs the OSDE to publish the information no later than February 1, 2020.

- Section 2(2): Directs \$100,919,026 of the funds appropriated to the State Board of Education in House Bill 2765 be appropriated as follows:
 - Teachers' Retirement Credit – \$24,175,685
 - Education Leadership Oklahoma – \$6,575,000
 - Reform Implementation – \$25,868,000
 - Alternative and High Challenge Education – \$11,000,000
 - Early Intervention – \$14,400,341
 - Early Childhood Initiative – \$12,000,000
 - School Lunch Matching – \$3,500,000
 - Great Expectations – \$400,000
 - Secure Schools Program – \$3,000,000

- Section 3: Requires the State Board of Education to budget \$3,770,951,054 of the funds available as follows. Requires outcome-based performance measures for each:

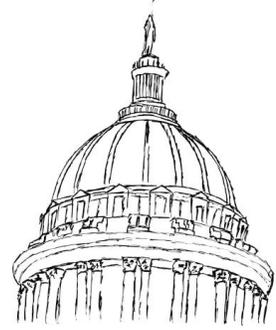
- Payroll, Salaries, or Wages, to include tax-sheltered deferment contracts and longevity payments authorized by state statutes – \$16,246,097
 - Professional and Personal Services contracts – \$70,000,000
 - Other operating funds – \$2,984,704, 957
 - Expenditure of Federal Funds – \$700,000,000
- Section 7: Directs \$6,575,000 of the funds appropriated for Education Leadership Oklahoma to be allocated as follows:
 - \$2,950,000 to the Oklahoma National Board Certification Revolving Fund; and
 - \$3,625,000 to the Oklahoma School Psychologist, Speech-language Pathologist, and Audiologist National Certification Revolving Fund.
- Section 8: Directs \$25,868,000 of the funds appropriated for Reform Implementation to be allocated as follows:
 - \$1,300,000 for Advanced Placement Teacher Training and Test Fee Assistance to provide assistance for students in financial need, grants to districts wanting to start new AP programs and to expand professional development;
 - \$12,000,000 to fund the Reading Sufficiency Act;
 - \$150,000 for the Teacher Induction Program for providing professional development, support and coaching to mentor teachers;
 - \$150,000 for developing and implementing academic standards and frameworks to help teachers understand the standards and for training;
 - \$250,000 to fund Teacher and Leader Effectiveness programs to improve the effectiveness of teachers and leaders in the public school system through continued development;
 - \$9,600,000 for administering the statewide student assessment system for grades 3-8 and high school;
 - \$2,000,000 to Teach for America;
 - \$180,000 to Street School;
 - \$200,000 to the Oklahoma Arts Institute; and
 - \$38,000 for Ag in the Classroom.
- Section 9: Directs \$11,000,000 to fund Alternative and High Challenge Education and to encourage districts to participate in innovative alternative education programs.
- Section 10: Directs \$14,400,341 to be transferred to the Early Intervention Fund for SoonerStart Early Intervention Services to expand direct services to eligible infants, toddlers and their families.
- Section 11: Directs \$3,000,000 to be used to fund Secure School Programs for the purpose of implementing a statewide K-12 mobile panic button system.
- Section 12: Directs \$12,000,000 to be used to fund the Early Childhood Initiative for early childhood programs.

- Section 13: Directs the State Board of Education to prescribe the duties and compensation of employees not prescribed by law that perform duties for the State Department of Education.
- Section 14: Requires state aid funds to be reduced or withheld by the State Board of Education in an amount necessary to ensure compliance with the law.
- Section 15: Authorizes the State Board of Education to request a transfer of appropriated funds to the appropriate dispensing fund.
- Section 16: Directs a proportionate reduction in funds for each school district that qualifies, excluding Financial Support of Public Schools, should the funds appropriated not be sufficient to fully fund the provisions of this bill.
- Section 17: Authorizes appropriations made in H.B. 2765, but not including appropriations made for capital outlay purposes, to be budgeted for the fiscal year ending June 30, 2020 or for the fiscal year ending June 30, 2021.

NOTE: This bill also duplicates much of the language contained in H.B. 2765.

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.

Helpful statutory references: 70 O.S. §26-103, 18-114.14, 6-204.2, 6-206.1, 1210.703, 1210.508, 6-195, 11-103.6, 6-101.16, 1210.568, 13-125, 10-105.4,



S.B. 1072

RE: S.B. 1072

SUBJECT: Revenue Stabilization Fund

Senate Bill 1072 becomes effective November 1, 2019. This bill reduces and prohibits in some cases deposits into the Revenue Stabilization Fund.

- Section 1(C): Prohibits deposits to the Revenue Stabilization Fund during a fiscal year where the State Board of Equalization General Revenue Fund certification is less than the General Revenue Fund certification for the previous fiscal year plus an increment equal to the amount otherwise calculated for deposit.
- Section 1(D)(2): Prohibits deposits to the Revenue Stabilization Fund that would cause total deposits to exceed three percent of the General Revenue Fund certification.
- Section 1(I): Requires total deposits to be reduced if the revenue sources for the Fund are projected to experience a revenue decrease, defined as an amount less than the five-year average for that source.

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. §34.102

Helpful statutory references: 62 O.S. §34.102



S.B. 1076

RE: S.B. 1076

SUBJECT: Revenue Stabilization Fund

Senate Bill 1076 becomes effective November 1, 2019. This bill appropriates \$200,000,000 to the Revenue Stabilization Fund.

Existing law creates the Revenue Stabilization Fund to reduce or avoid reductions of funds to agencies and mitigate potential reduction of funds to common school districts in the event of a revenue failure in the General Revenue Fund.

- Section 1: Appropriates \$186,084,782 to the Revenue Stabilization Fund from the General Revenue Fund to be used as provided by law for the fiscal year ending June 30, 2020.
- Section 2: Appropriates \$13,915,218 to the Revenue Stabilization Fund from the Alcoholic Beverage Control Fund to be used as provided for by law for the fiscal year ending June 30, 2020.

NOTE: See also S.B. 1072 which amends deposit amounts to the Revenue Stabilization Fund.

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.

Helpful statutory references: 62 O.S. §34.102