

2017 LEGISLATION



OKLAHOMA STATE DEPARTMENT OF
EDUCATION
— CHAMPION EXCELLENCE —



JOY HOFMEISTER

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

Dear Educator:

The Oklahoma State Department of Education is excited to provide to you the **3rd Annual Red Banner Book** as a resource to help you stay informed of state education legislation.

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

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

This year we are excited to report that the work of the Teacher Shortage Task Force continues with five recommendations being signed into law, including a measure to allow certain retired teachers to return to the classroom (S.B. 428). Additionally, we are pleased with the changes to the Reading Sufficiency Act (H.B. 1760, S.B. 84), making the parent teams permanent and providing time for schools to adapt to the new academic standards and assessments, and changes to repeal and replace the state accountability system (H.B. 1693).

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 black ink that reads "Joy Hofmeister".

Joy Hofmeister
State Superintendent of Public Instruction

SUBJECT INDEX

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H.B. 1162

RE: H.B. 1162

SUBJECT: Teachers' Retirement System

House Bill 1162 becomes effective November 1, 2017. This bill creates the Pension Protection Act, changing the amount of time an individual must contribute to the Teachers' Retirement System (TRS) from five to seven years in order to qualify for monthly retirement benefits.

- Section 2(b): Requires members joining TRS on or after November 1, 2017 to be employed for a minimum of seven years, rather than five, to qualify for monthly retirement benefits.
- Section 2(c): Requires any member with seven years, rather than five, to be given an indefinite extension of membership beginning with the sixth year following his/her last contributing membership and makes them eligible to retire upon reaching age 55.

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

Amendment to: 70 O.S. §17-105



H.B. 1188

RE: H.B. 1188

SUBJECT: Teachers' leave benefits

House Bill 1188 becomes effective July 1, 2017. This bill allows for sick leave accumulated in a school district to be transferred to the Oklahoma School for the Blind and Oklahoma School for the Deaf.

Current law allows for teachers to accumulate up to 60 days of sick leave. Such sick leave is transferable to another school district provided that the number of days transferred does not exceed the maximum permitted by the receiving school.

- Section 1(A)(1): Allows teachers to transfer cumulative sick leave to the Oklahoma School for the Blind and the Oklahoma School for the Deaf.
- Section 1(A)(2): Allows teachers becoming employed at the Oklahoma School for the Blind and Oklahoma School for the Deaf after July 1, 2017 to transfer up to 60 days of sick leave accumulated in a school district prior to such date.

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

Amendment to: 70 O.S. §6-104



H.B. 1201

RE: H.B. 1201

SUBJECT: School District Transparency Act

House Bill 1201 becomes effective November 1, 2017. This bill eliminates the requirement that school district credit card statements be posted on the OSDE transparency website.

Current law requires the State Department of Education (OSDE) to make certain data available on its website, including information on school district expenditures.

- Section 1(C): Eliminates the requirement that the transparency portion of the website include copies of all school district credit card statements, identified by the department responsible for each credit card.

Should you have any questions related to this bill, please contact Ms. Katherine Black, Executive Director of Financial Accounting, at (405) 522-0275 or Ms. Carolyn Thompson, Chief of Government Affairs, at (405) 522-3520.

Amendment to: 70 O.S. §5-135.4



H.B. 1202

RE: H.B. 1202

SUBJECT: Per-pupil expenditures

House Bill 1202 becomes effective November 1, 2017. This bill creates a new definition of “per-pupil expenditure” in state law.

- Section 1(A): Defines “per-pupil expenditure” as the aggregate *current* expenditures of school districts from all funding sources, including federal, state and local funds, plus the direct support aggregate current expenditures of the state for the day-to-day operations of schools and school districts from all funding sources, divided by the aggregate student membership number for that same fiscal year.
 - Defines the aggregate student membership number as the count of students enrolled on October 1, or the school day closest to October 1, to whom school districts provide a public education.
 - Requires the aggregate current expenditures to include without limitation the following categories: instruction; support services for students, instructional staff, general administration, school administration, and business; operation and maintenance of plant services; student transportation services; child nutrition services; and enterprise services.
- Section 1(B): Clarifies that aggregate current expenditures do not include expenditures for adult and community education, facilities acquisition and construction services, debt services, property and other expenditures not related to day-to-day operations.
- Section 1(C): States the provisions only apply when related to the expenditures of public funds by educational and governmental entities.
 - Requires the State Department of Education to report or publish each category of expenditure listed in subsection A, as well as the aggregate expenditure, when reporting or publishing the per-pupil expenditure.

Should you have any questions related to this bill, please contact Ms. Katherine Black, Executive Director of Financial Accounting, at (405) 522-0275 or Ms. Carolyn Thompson, Chief of Government Affairs, at (405) 522-3520.

New law at: 70 O.S. §1-124



H.B. 1206

RE: H.B. 1206

SUBJECT: Education competency examinations

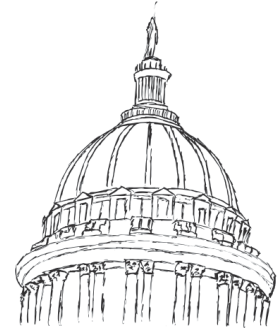
House Bill 1206 becomes effective November 1, 2017. This bill allows a special education teacher who has not completed an approved program in elementary or early childhood education, but who has passed the subject area exam, to be certified to teach that subject in special education settings only.

Current law requires special education teachers *who have completed an accredited teacher preparation program* to successfully complete the appropriate subject area examination to become certified in early childhood or elementary education.

- Section 1(C)(2): Adds an allowance for any special education teacher who has not completed the required elementary or early childhood education program, but who has successfully completed the subject area portion of the examination, to be certified in elementary or early childhood education to teach that subject matter in special education settings only.

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

Amendment to: 70 O.S. §6-187



H.B. 1219

RE: H.B. 1219
SUBJECT: Education

House Bill 1219 becomes effective November 1, 2017. This bill eliminates an outdated council, board and commission.

- Section 1: Repeals the P-20 Data Coordinating Council, which was created to advise on the creation of a unified, longitudinal student data system.
- Section 2: Repeals the P-20 Data Coordinating Council Revolving Fund.
- Section 3: Repeals the Educational Quality and Accountability Board, which was required to review the determination of adequate yearly progress under ESEA and the Oklahoma School Testing Program, making recommendations on the Board's findings. (NOTE: This Board is separate from the Commission for Educational Quality and Accountability.)
- Section 4: Repeals the Educational Quality and Accountability Board Revolving Fund.
- Section 5: Repeals the Oklahoma Race to the Top Commission.

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

Repeals: 70 O.S. §3-163, 3-164, 3-165, 3-166, 6-101.17



H.B. 1357

RE: H.B. 1357

SUBJECT: Oklahoma Caregiver Support Act

House Bill 1357 becomes effective November 1, 2017. This bill creates the Oklahoma Caregiver Support Act to support caregiver community groups across the state.

- Section 2: Directs the Department of Human Services (DHS) to work with caregiver community groups across the state in a cost neutral manner using existing resources to
 - support the expansion of the number of locations,
 - ensure locations are economically diverse according to economic income, and
 - provide locations in schools, city and county facilities in which no usage fee is charged.

- Section 3: Directs DHS to use existing resources to support awareness of
 - information regarding services to caregivers,
 - assistance in gaining access to services for caregivers,
 - individual counseling, supporting groups and caregiver training, and
 - respite care enabling caregivers to be temporarily relieved from their responsibilities.

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

New law at: 56 O.S. §3002.2, 3002.3, 3002.4



H.B. 1470

RE: H.B. 1470

SUBJECT: Statute of limitations for civil actions

House Bill 1470 becomes effective November 1, 2017. This bill extends the timeframe in which legal actions for damages in cases involving the sexual abuse of children can be brought.

Current law directs that an action for recovery of damages for injury suffered as a result of childhood sexual abuse incidents and exploitation must be commenced before a child reaches the age of 18 or within five years after the perpetrator is released from prison.

- Section 1(A)(6): Requires actions for recovery of damages for injury suffered as a result of childhood sexual abuse or exploitation *against the actual perpetrator* to be commenced by the victim's forty-fifth birthday. Requires actions *against entities* that employed the perpetrator and had some duty of care to the victim to be brought within two years. However, the time limit for the commencement of action *against entities* when the victim is a child may be brought until the child is 18, and damages against the entity are only to be awarded if there is a finding of gross negligence.

NOTE: The language awarding damages against the entity only in cases of gross negligence was subsequently repealed by H.B. 1570.

- Section 1(C): Directed the court to award court costs and reasonable attorney fees to the prevailing party in such action.

NOTE: The language awarding court costs and attorney fees to the prevailing party was also subsequently repealed by H.B. 1570.

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

Amendment to: 12 O.S. §95

Helpful statutory reference: 10A O.S. §1-1-105



H.B. 1491

RE: H.B. 1491

SUBJECT: Oklahoma Child Care Facilities Licensing Act

House Bill 1491 becomes effective June 6, 2017. This bill provides additional exceptions for certain school programs to DHS child care facility licensing requirements.

Current law exempts certain programs and child care arrangements from the requirements of the Oklahoma Child Care Facilities Licensing Act, which is administered by the Department of Human Services (DHS).

- Section 1(A)(7): Exempts summer youth camps for children who are at least 4 years old, changed from 5 years old, that are accredited by a national standard-setting agency or church camp accreditation program.
- Section 1(A)(10): Exempts any child care facility that provides care and supervision for school-aged children only in a center-based program for 21 or fewer hours per week in counties with less than 100,000 people according to the latest census.

Should you have any questions related to this bill, please contact Ms. Sonia Johnson, Executive Director of Family/Community Engagement, at (405) 522-6225, the Office of Accreditation, at (405) 521-3335, or Ms. Carolyn Thompson, Chief of Government Affairs, at (405) 522-3520.

Amendment to: 10 O.S. §403



H.B. 1506

RE: H.B. 1506

SUBJECT: Student records

House Bill 1506 becomes effective July 1, 2017. This bill changes the requirement for student transcripts to include academic and extracurricular honors and awards, degrees conferred, and extracurricular or after-school activities from mandatory to optional.

- Section 1(B): Allows school districts to store paper and electronic documents and information in student records in either a single-file or a multiple-file format.
- Section 1(C): Allows, rather than requires, a student transcript to include all academic and extracurricular honors and awards received, all degrees conferred, and extracurricular or after-school activities.

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. §24-114



H.B. 1550

RE: H.B. 1550
SUBJECT: Firearms

House Bill 1550 becomes effective November 1, 2017. This bill defines motor vehicle to include motorcycles in terms of when a handgun may be carried.

Current law provides that handguns may be stored in motor vehicles when left unattended in parking lots of public and private elementary and secondary schools, provided the handgun is hidden and the vehicle is locked.

- Section 1(H): Defines “motor vehicle” to include motorcycles equipped with a locked accessory container within or affixed to the motorcycle.

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.

New law at: 21 O.S. §1277
Helpful statutory reference: 47 O.S. §1-135



H.B. 1559

RE: H.B. 1559

SUBJECT: Uniform Controlled Dangerous Substances Act

House Bill 1559 becomes effective November 1, 2017. This bill adds to the definition of marihuana.

Current law authorizes uses of cannabidiol by patients who are either participating in clinical trials, *or* are certified by an Oklahoma-certified physician as having a severe treatment-resistant form of epilepsy.

- Section 1(23): Defines “marihuana” to include any federal Food and Drug Administration-approved cannabidiol drug or substance.

NOTE: Authorized clinical trials are to conclude by December 31, 2017 and are not permitted to continue without approval by a concurrent resolution adopted by the Legislature.

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: 63 O.S. §2-101

Helpful statutory references: 63 O.S. §2-801 through §2-805



H.B. 1576

RE: H.B. 1576

SUBJECT: Teacher Education

House Bill 1576 becomes effective July 1, 2017. This bill requires the Commission for Educational Quality and Accountability to adopt rules requiring training in digital technologies.

Current law requires certain criteria be met for the approval and accreditation of teacher education programs. Current law also establishes legislative intent that there be a professional development procedure in place for all teachers to continue their education beyond certification.

- Section 1(F): Sets a deadline of November 1, 2017 for the Commission to adopt rules requiring training in digital and other instructional technologies as a requisite for program accreditation.
- Section 1: Updates references to the Oklahoma Commission for Teacher Preparation to the Commission for Educational Quality and Accountability.
- Section 2(B): Requires the professional development procedure to include digital teaching and learning standards to enhance content delivery to students and improve student achievement.

Should you have any questions related to this bill, please contact Ms. Susan Pinson, Executive Director of Professional Learning, at (405) 522-1835, Mr. Kurt Bernhardt, Executive Director of Education Technology, at (405) 521-3364, or Ms. Carolyn Thompson, Chief of Government Affairs, at (405) 522-3520.

Amendment to: 70 O.S. §6-186, 6-192



H.B. 1578

RE: H.B. 1578

SUBJECT: School Finance Review Commission Act

House Bill 1578 becomes effective July 1, 2017. This bill creates a task force to study and make recommendations on improving the State Aid formula and the School Finance Review Commission.

- Section 2(A): Creates a task force to study and make recommendations to the Legislature on improving the State Aid formula, which will include, but not be limited to, the formula, local ad valorem rates, formula structure including grade level, student category and transportation weights, and efficiencies and cost-saving measures regarding the footprint of school districts.
- Section 2(B): Requires 16 members be appointed to the task force including:
 - Two members, appointed by the Governor
 - The Secretary of Education and Workforce Development or designee
 - Three members of the Senate
 - Three members of the House of Representatives
 - One representative of a statewide business organization, appointed by the Governor
 - A superintendent or financial officer of a school district with an ADM of 2,500 or less, appointed by the President Pro Tempore of the Senate
 - A superintendent or financial officer of a school district with an ADM between 2,500 and 10,000, appointed by the Speaker of the House
 - A superintendent or financial officer of a school district with an ADM of 10,000 or more, appointed by the Governor
 - One member of the financial sector, appointed by the Speaker of the House
 - One member who is a professional auditor, appointed by the President Pro Tempore of the Senate
 - One member, appointed by the Superintendent of Public Instruction
- Section 2(B): Designates the Secretary of Education, a member of the Senate and a member of the House as co-chairs of the task force.
- Section 2(C-H): Requires appointments to be made by July 30, 2017 with an organizational meeting occurring by August 31, 2017. Requires nine members, a quorum, to approve any final action. Allows the task force to meet as often as necessary, but does

not provide for compensation or travel reimbursement for members. Requires the task force to follow the Open Meeting Act. Allows the cochairs to create a technical advisory team to research and study the funding formula and make recommendations for the task force to consider.

- Section 2(I): Requires the Commission for Educational Quality and Accountability to provide staff and administrative support to the task force, with assistance from the State Department of Education (OSDE). Requires the OSDE to provide information as requested including the annual report on school finance and information on the structure of the State Aid formula.
- Section 2(J): Requires the task force to submit recommendations to the Governor, President Pro Tempore of the Senate, Speaker of the House, and chairs of the education committees prior to December 31, 2017 if available, with a final report and recommendations required by December 31, 2018.
- Section 3(A): Creates the School Finance Review Commission to include the following members whose terms will begin March 1, 2021:
 - A member appointed by and serving at the pleasure of the Governor
 - A member appointed by and serving at the pleasure of the Lt. Governor
 - A member appointed by and serving at the pleasure of the Speaker of the House
 - A member appointed by and serving at the pleasure of the Minority Leader of the House
 - A member appointed by and serving at the pleasure of the President Pro Tempore of the Senate
 - A member appointed by and serving at the pleasure of the Minority Leader of the Senate
 - The Executive Director of the Office of Educational Quality and Accountability or designee who will serve as an ex officio, nonvoting member
 - The State Superintendent or designee who will serve as an ex officio, nonvoting member
- Section 3(B): Directs appointees to serve for four year terms beginning on January 1 or until the Commission expires.
- Section 3(C): Prohibits voting members of the Commission from being elected officials at the time of appointment.
- Section 3(D-F): Requires the Commission for Educational Quality and Accountability to provide staff and administrative support to the School Finance Review Commission, with assistance from the OSDE. Requires the Commission to comply with the Open Meeting Act, and prohibits members from receiving travel reimbursement and compensation.
- Section 4: Requires the Commission to conduct a review of all matters related to school finance including, but not limited to, teacher compensation, benefits and administration

costs. Requires the Commission to submit a report of findings to the Governor, President Pro Tempore of the Senate and Speaker of the House by December 31, 2023 and each year thereafter by December 31.

Should you have any questions related to this bill, please contact Mr. Matt Holder, Deputy Superintendent of Finance and Federal Programs, at (405) 522-3713, or Ms. Carolyn Thompson, Chief of Government Affairs, at (405) 522-3520.

New law at: 70 O.S. §3-117.1, 3-117.2, 3-117.3

New law not codified: §2



H.B. 1621

RE: H.B. 1621

SUBJECT: Benefits of educational service contractors

House Bill 1621 becomes effective November 1, 2017. This bill prohibits educational service contractors from claiming benefits during periods between school years or terms of service.

- Section 1(A): Defines the following terms:
 - “Educational service contractor” to mean a private business contracting with educational institutions for tasks deemed necessary by the institution.
 - “Educational institution” to mean a school, school system or college/university providing elementary, secondary, career/technology or higher education.
- Section 1(B): Requires that benefits for service of an educational service contractor be paid in the same amount and terms as required under the Employment Security Act.
- Section 1(B)(1): Requires that when an educational service contractor performs services in an *instructional, research or principal administrative capacity* for an educational institution, benefits are not paid for any week of unemployment between two successive academic years, between two terms of employment that are not successive, or during paid sabbatical, if there is reasonable assurance that the individual will be able to continue their service in a subsequent year or term.
- Section 1(B)(2): Requires that when an educational services contractor performs services in *any other capacity* for an educational institution, benefits are not paid between two successive academic years or terms if there is reasonable assurance that the individual will be able to continue their service in a subsequent year or term, except that if compensation is denied and the individual is not offered the opportunity in a subsequent year, the individual may claim retroactive payment of compensation for each week that compensation was denied.

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

New law at: 40 O.S. §2-209.1

Helpful statutory reference: 40 O.S. §1-210



H.B. 1622

RE: H.B. 1622

SUBJECT: Teacher Salaries

House Bill 1622 becomes effective November 1, 2017. This bill directs notification to be provided to teachers whose base salary is supplemented with retirement benefits in order to meet the requirements of the minimum salary schedule.

- Section 1(B)(2): Directs a school district that intends to employ a teacher with a base salary that is less than the minimum salary schedule and provides retirement benefits in order to reach the minimum salary schedule, to provide written notification to the teacher prior to employment. If the teacher is already employed, then notification must be made no later than 30 days prior to the date the district makes the decision to use retirement benefits to meet the minimum salary schedule.

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

Amendment to: 70 O.S. §18-114.14



H.B. 1623

RE: H.B. 1623

SUBJECT: Corporal punishment

House Bill 1623 becomes effective November 1, 2017. This bill prohibits corporal punishment against students determined to have the most significant cognitive disabilities.

- Section 1(A): Prohibits school district personnel from using corporal punishment on students identified as having the most significant cognitive disabilities according to criteria established by the OSDE. Provides an exception if such punishment is addressed in the student's IEP.
- Section 1(B): A waiver may be granted if the student's parent/legal guardian provides written consent.
- Section 1(C): Defines "corporal punishment" to mean the deliberate infliction of physical pain by hitting, paddling, spanking, slapping or any other physical force used as a means of discipline.

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

New law at: 70 O.S. §13-116



H.B. 1668

RE: H.B. 1668

SUBJECT: Student-athletes

House Bill 1668 becomes effective July 1, 2017. This bill eliminates the requirement for schools to advise students of the consequences of receiving monetary items on future athletic eligibility.

- Section 1(E): Eliminates the requirement that each public and private high school advise students participating in athletic programs in writing of the effect of receiving money or other things of value on future eligibility for participating in intercollegiate athletics.

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. §822.2



H.B. 1693

RE: H.B. 1693

SUBJECT: Student and school performance level accountability

House Bill 1693 becomes effective July 1, 2017. This bill repeals the former A-F report card system and establishes a framework for a new accountability system.

- Section 1(D): Changes the goal of the accountability system to make determinations to identify schools for rewards and supports and interventions, rather than sanctions.
- Section 2(A)(1): Requires the State Board of Education to prepare an annual report of the Oklahoma School Testing Program for the state and each school site pursuant to the Elementary and Secondary Education Act of 1965 (ESEA) and the Every Student Succeeds Act (ESSA).
- Section 2(A)(2): Deletes the requirement of the Board to study and make recommendations to the Legislature about the calculation metrics of the accountability system, which was completed in 2015.
- Section 2(B): Requires the annual report to identify school sites as having an “A,” “B,” “C,” “D,” or “F” grade *for each indicator, separately, and by a single overview grade of all indicators*, defined according to rules of the Board.
- Section 2(C)(2): Deletes the requirement that schools serving kindergarten through grade three, who are not tested, receive the school grade of a feeder school.
- Section 2(D): Allows the Board to adopt alternate systems of accountability for statewide virtual charter schools, alternative education programs and schools serving only grades prekindergarten or kindergarten through two.
- Section 2(E): Repeals the previous calculation of school grades (50% whole school performance, 25% whole school growth, 25% bottom quartile growth, and bonus points), instead requiring a multimeasures approach to accountability in accordance with ESSA, which is to include, but not be limited to, the following indicators:
 - Statewide assessments, including the establishment of student performance bands;
 - Graduation rates for high schools;

- Statewide academic measures for elementary and middle schools;
- English language proficiency for English learners; and
- At least one additional statewide measure of school quality or student success, including, but not limited to, school climate, school safety, student engagement, educator engagement, and/or advanced coursework and postsecondary readiness.
- Section 2(E): Repeals the language defining the scale for how school grades are assigned (e.g. 93% to 96% = A)
- Section 2(F): Requires that no less than 70 percent of the overview grade be comprised of the first four indicators listed above in subsection E and no more than 30 percent of the overview grade be comprised of the fifth indicator listed above in subsection E.
- Section 2(G): Requires the grade of an elementary or middle school site to include, but not be limited to, a measure of status for English language arts (ELA), math and science, growth in ELA and math, English Language Proficiency Assessment (ELPA) progress, and chronic absenteeism.
- Section 2(H): Requires the grade of a high school site to include, but not be limited to, a measure of status for ELA, math and science, ELPA progress, graduation rate, chronic absenteeism, and postsecondary opportunities.
 - Defines “postsecondary opportunities” to include Advanced Placement, International Baccalaureate, dual and concurrent enrollment, internships, mentorships and apprenticeships, and industry certifications.
 - Directs the Board to adopt a timeline for moving from completion of postsecondary opportunities to achievement of postsecondary opportunities.
- Section 2(I): Repeals language stating schools that improve at least one grade level are eligible for recognition by the Board, keeping language requiring the reports to identify the performance of each school as having improved, remained the same or declined.
- Section 2(J): Requires the OSDE to *annually* develop school site report cards in compliance with ESEA and ESSA, along with an explanation of school performance.
 - Existing language directs that report cards issued during the 2017-18 school year are to include an explanation of the changes to the statewide system of student assessments and how the transition in assessments may impact school performance.
 - Existing language also directs the OSDE to issue school report cards using the data that is available for 2016-17.

- Section 2(L): Directs the board to promulgate rules to implement the accountability system and to allow for a medical exemption from the chronic absenteeism provision.

Should you have any questions related to this bill, please contact Dr. Jeanene Barnett, Deputy Superintendent of Assessment & Accountability, at (405) 521-6446 or Ms. Carolyn Thompson, Chief of Government Affairs, at (405) 522-3520.

Amendment to: 70 O.S. §1210.541, 1210.545



H.B. 1694

RE: H.B. 1694

SUBJECT: Financial literacy education

House Bill 1694 becomes effective July 1, 2017. This bill amends the requirements for teaching personal financial literacy (PFL), including that teachers have ongoing professional development. It also creates a funding source for the improvement of PFL instruction.

- Section 1(A): Eliminates the requirement that balancing a checkbook be included as an area of instruction for personal financial literacy (PFL) education, replacing it with managing a bank account. Adds a requirement for understanding the Free Application for Federal Student Aid (FAFSA) to the area of instruction on loans and borrowing money.
- Section 1(G): Changes the requirement that the OSDE provide resources for teaching PFL to requiring the OSDE provide *and identify* resources, including online curricula.
- Section 1(G)(5): Directs funds deposited in the Personal Financial Literacy Education Revolving Fund to be used for developing and providing PFL guidelines, materials and resources for students and teachers including, but not limited to online curricula, training and professional development. Allows the OSDE to contract or work in conjunction with a third-party, Oklahoma-based not-for-profit organization with proven expertise in developing standards and curricula, and to deliver professional development for teachers.
- Section 1(K): Directs that PFL instruction be taught by the same teacher(s) on a continuing basis to the extent possible.
- Section 1(L): Beginning in the 2020-21 school year, requires all teachers responsible for teaching PFL to complete ongoing professional development training in accordance with guidelines established by the OSDE.
- Section 2: Increases the fee for each deferred deposit loan from five cents to thirty cents and directs eight cents to be deposited into the Consumer Credit Counseling Revolving Fund and twenty-two cents to be deposited into the Personal Financial Literacy Education Revolving Fund. Requires each lender to make payments to the fund quarterly.
- Section 3: Creates the “Personal Financial Literacy Education Revolving Fund” to be appropriated and spent by the OSDE for the purposes of implementing personal financial literacy education.

NOTE: The twenty-two cent fee deposited in the PFL Education Revolving Fund is estimated to result in \$154,000 annually.

Should you have any questions related to this bill, please contact Ms. Brenda Beymer-Chapman, Director of Social Studies Education and Personal Financial Literacy Education, at (405) 522-3523 or Ms. Carolyn Thompson, Chief of Government Affairs, at (405) 522-3520.

Amendment to: 70 O.S. §11-103.6h, 59 O.S. §3119

New law at: 70 O.S. §11-103.6h-1



H.B. 1715

RE: H.B. 1715

SUBJECT: Use of school buildings and property

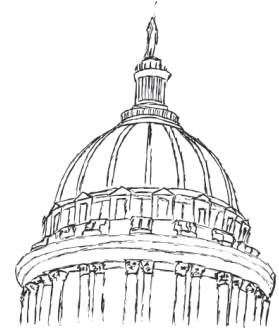
House Bill 1715 becomes effective August 25, 2017. This bill creates the “Patriotic Access to Students in Schools (PASS) Act,” allowing patriotic youth groups to use school property to recruit and inform students of their societies.

- Section 2(A): Allows a board of education to encourage increased community involvement through the school.
- Section 2(C): Requires any *youth* group listed as a patriotic society in Title 36 of the United States Code be allowed to use any school building or property to provide services allowing students to participate in activities provided by the group outside of instructional time.
- Section 3(A): Defines “patriotic society” as any *youth* group listed in Title 36 of the United States Code.
- Section 3(B): Beginning with the 2017-18 school year, requires principals to allow representatives of a patriotic society to speak with, inform and recruit students during school hours.
- Section 3(C): Requires the patriotic society to provide verbal or written notice to the principal of its intent to speak to students and requires the principal to provide verbal or written approval of the day and time for the society to address students.

NOTE: “Patriotic Societies” specifically include Boy Scouts and Girl Scouts of America, Future Farmers of America, Boys & Girls Clubs of America, Big Brothers—Big Sisters of America, Little League Baseball, Inc., among others. A full list can be found here:
<http://uscode.house.gov/download/annualhistoricalarchives/pdf/1996/1996usc36.pdf>

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. §5-129.3, 5-130
New law at: 70 O.S. §1210.229-7



H.B. 1755

RE: H.B. 1755

SUBJECT: Teacher salaries

House Bill 1755 becomes effective July 1, 2017. This bill directs out-of-country experience to be evaluated by a credentialing service approved by the OSDE.

Current law directs the State Board of Education to accept teaching experience from out-of-country schools that are accredited or otherwise endorsed by the appropriate national or regional accrediting or endorsement authority.

- Section 1(C): Requires out-of-country certification documentation in a language other than English to be analyzed by an educational credential evaluation service in accordance with industry standards and guidelines and approved by the State Department of Education.

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

Amendment to: 70 O.S. §18-114.14



H.B. 1760

RE: H.B. 1760

SUBJECT: Reading instruction

House Bill 1760 becomes effective May 5, 2017. This bill delays the requirement that students who score limited knowledge on the reading portion of the third-grade assessment have a Student Reading Proficiency Team to determine retention by one year, until 2017-18. The bill also makes the teams permanent and removes the requirement for a reading specialist to be on the team.

- Section 1(G): Clarifies that the program of reading instruction for any third-grade student found not to be reading at grade level be developed by a Student Reading Proficiency Team.
- Section 1(H)(4)(a): For the 2016-17 school year, allows for a student not eligible for automatic promotion and who scores at the *unsatisfactory level* on the reading portion of the statewide third-grade assessment to be evaluated for probationary promotion by the Student Reading Proficiency Team.
 - Beginning with the 2017-18 school year, allows for a student not eligible for automatic promotion and who scores *below the proficiency level* to be evaluated for probationary promotion by the Student Reading Proficiency Team.
 - Changes the make-up of the Student Reading Proficiency Team for purposes of evaluating students for probationary promotion to include:
 - the parent or guardian of the student,
 - the student's third-grade grade reading teacher,
 - a fourth-grade reading teacher, and
 - a certified reading specialist, if one is available.
- Section 1(H)(5): Beginning with the 2017-18 school year, requires students who score *below the proficient level*, who are not subject to a good-cause exemption, and who do not qualify for promotion or probationary promotion to be retained in the third grade and provided intensive instructional services.
- Section 1(S): Adds the President Pro Tempore of the Senate and the Speaker of the House to the list of members to receive a Reading Report Card detailing disaggregated trend data and changes the due date of the report to December 31 of each year.

- Section 1(S)(5): Adds a requirement for the number of students tested, the number of students promoted through meeting proficiency, the number of students promoted through good-cause exemptions, the number of students promoted through probationary promotion and the number of students retained to be including in the Reading Report Card.
- Section 1(S)(6): Adds a requirement for data tracking the progression of students promoted through good-cause exemptions and probationary promotion, and students who are retained to be included in the Reading Report Card. The data is to be tracked through the eighth grade and include, but not be limited to, whether the student graduates on time.
- Section 1(S)(9): Adds requirement for the type of reading instruction practices and methods currently being used by Oklahoma school districts to be included in the Reading Report Card. (This provision was previously included in a separate study.)
- Section 1(S)(10): Adds requirement for socioeconomic information, access to reading resources outside of school, and screening for and identification of learning disabilities for students not reading at grade level by third grade to be included in the Reading Report Card. (This provision was previously included in a separate study.)
- Section 1(S)(11): Adds requirement for the types of intensive remediation efforts being conducted by school districts to identify best practices for students that are not reading at grade level to be included in the Reading Report Card. (This provision was previously included in a separate study.)
- Section 2: Repeals the requirement for the State Department of Education to conduct a study of reading instruction and retention of students in the third grade, combining elements of the study into the Reading Report Card described above.

NOTE: S.B. 84 also amends 70 O.S. §1210.508C, but is superseded H.B. 1760.

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: 70 O.S. §1210.508C

Repeals: 70 O.S. §1210.508G



H.B. 1789

RE: H.B. 1789

SUBJECT: Reading Sufficiency Act

House Bill 1789 becomes effective July 1, 2017. This bill requires training for prospective teachers in order to meet the needs of students with dyslexia, including strategies for instruction, assessment and intervention.

Current law requires the State Board of Education and the Commission for Educational Quality and Accountability to work in collaboration with the State Regents for Higher Education to ensure teachers are provided quality training in order to meet the needs of students K-3 who are determined to be at risk of reading difficulties.

- Section 1(B): Requires prospective teachers also be provided quality training in research-based strategies for instruction, assessment and intervention for the literacy development of all students including advanced readers, typically developing readers and struggling readers (i.e. English learners, students with disabilities and students with learning disabilities like dyslexia).
 - The quality training must include guidance from professional resources such as the Report of the National Reading Panel, Response to Intervention Guidelines, and professional organizations such as the Council for Exceptional Children, International Dyslexia Association, International Literacy Association, National Council of Teachers of English and National Association for the Education of Young Children.
- Section 1(C): Requires teacher candidates to study strategies including, but not limited to, instruction that is explicitly taught, sequenced, multimodal, multidisciplinary and reflective to adapt for individual learners.
- Section 1: Updates references to the Oklahoma Commission for Teacher Preparation to the Commission for Educational Quality and Accountability.

Should you have any questions related to this bill, please contact Teacher Certification, at (405) 521-3337, 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: 70 O.S. §1210.508F



H.B. 1790

RE: H.B. 1790

SUBJECT: Remediation course

House Bill 1790 becomes effective November 1, 2017. This bill allows school districts to offer a remediation course to students who score below a 19 on the ACT.

- Section 1(A): Allows each school district in Oklahoma to offer a remediation course for high school students who score below a 19 on the ACT or below an equivalent score on the SAT.
- Section 1(B): Clarifies that a teacher providing instruction in the remediation course does not need to be certified in the subject matters tested on the ACT or SAT.

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.

New law at: 70 O.S. §11-107.1



H.B. 1837

RE: H.B. 1837

SUBJECT: Oklahoma Education Lottery Act

House Bill 1837 becomes effective August 25, 2017. This bill requires any net proceeds from the lottery in excess of \$50,000,000 to be appropriated by the Legislature to the State Department of Education for the purpose of implementing reading and STEM programs.

- Section 1(B): Requires that the first fifty million dollars (\$50,000,000) of the net proceeds for each fiscal year of the Oklahoma Education Lottery be transferred to the Oklahoma Education Lottery Trust fund. Deletes the requirement that net proceeds equal 35 percent of gross proceeds.
- Section 1(C): Requires *all* proceeds remaining after the apportionment of the first \$50,000,000 to be transferred to the Oklahoma Education Lottery Trust Fund.
 - Requires the Oklahoma Lottery Commission to submit a report of its findings and recommendations regarding the impact of setting the net proceeds at a fixed dollar amount. The report must be submitted to the Governor, Speaker of the House and President Pro Tempore of the Senate by October 1, 2019, and annually thereafter.
- Section 1(F): Appropriates the first \$50,000,000 — \$45% to K-12 education and early childhood development programs, 45% to Higher Education, 5% to School Consolidation and Assistance Fund and 5% to Teachers' Retirement System Dedicated Revenue Revolving Fund. Requires administrative costs not exceed 3% of sales.
- Section 2: Requires the lottery annual net proceeds that exceed \$50,000,000 to be appropriated by the Legislature on a cash basis to the State Department of Education. The OSDE is directed to allocate the funds to public schools based on the audited end-of-year average daily membership (ADM) in grades PK-12 to implement PK-3 reading intervention initiatives or science, technology, engineering and math (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

New law at: 3A O.S. §713.1



H.B. 1875

RE: H.B. 1875

SUBJECT: Donation of food by schools

House Bill 1875 becomes effective November 1, 2017. This bill allows a school district to donate leftover food to a nonprofit organization that is directly affiliated with the school.

- Section 1(A): Defines the terms “donate” and “nonprofit organization.”
- Section 1(B): Allows a school district to allow school sites to choose to donate food to a nonprofit organization through an official on-campus nonprofit representative, or a designee who is directly affiliated with the school, such as a teacher, counselor or PTA member. Allows the donated food to be received, stored and redistributed at the school site at any time. Eligible food may include surplus items from school meals, served/unserved food, packaged/unpackaged food in good condition and whole produce.
- Section 1(C): Allows school employees to act as volunteers for the nonprofit organization when redistributing donated food at the school site.
- Section 1(D): Protects a school district from liability in a civil suit or criminal prosecution if injury results from a good faith donation of food that is fit for human consumption at the time, unless that injury is a direct result of gross negligence, recklessness or intentional misconduct.
- Section 1(E): Allows the State Board of Education to promulgate rules the implement this bill.

Should you have any questions related to this bill, please contact Ms. Debbie Hamilton, Executive Director of Child Nutrition, at (405) 522-5037 or Ms. Carolyn Thompson, Chief of Government Affairs, at (405) 522-3520.

New law at: 70 O.S. §5-147.1



H.B. 1949

RE: H.B. 1949

SUBJECT: Bond Transparency Act of 2017

House Bill 1949 becomes effective November 1, 2017. This bill requires new public notifications be made prior to a vote on a bond issue.

- Section 2(A): Requires that at least 30 days after the approval for a vote on a bond or other indebtedness issued by local government entities certain things be published on the local government website:
 - Description of the project/assets to be acquired, improved or repaired with the proceeds of the bonds.
 - Description of any unpaid or unfinished bond approved by voters preceding the date of the vote on the bonds to be issued.
 - Detailed description of the use of previous bond proceeds. If bond proceeds were used to acquire or improve real property, then the description must include a physical address using a street number or other method to identify the location of the property.
- Section 2(B): Directs local government entities that do not have websites to make the information accessible through another method to those residing in the geographic area of the entity. If there is no reasonable method, the entity must publish the information at least once in a newspaper of general circulation in the geographic area where voters reside.
- Section 2(C): Directs that these provisions apply to any bond or other evidence of indebtedness that requires either a sinking fund millage rate or bond levies of counties, cities, towns, *common school districts*, *career technology districts*, emergency medical service districts and solid waste management districts.
- Section 2(D): Specifies the provisions are not applicable to obligations issued by certain public trusts.

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.

New law at: 62 O.S. §896.1

Helpful statutory references: Okla. Const. art. X §26, 60 O.S. §176



H.B. 1952

RE: H.B. 1952

SUBJECT: Disciplinary action against teachers

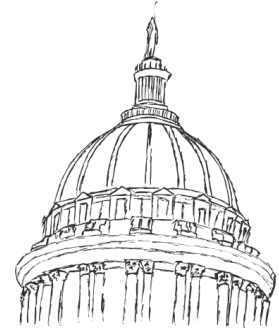
House Bill 1952 becomes effective November 1, 2017. This bill prohibits disciplinary action against teachers for reporting potential violations of federal and state law.

- Section 1(A): Defines teacher for purposes of this section of law as persons serving as district superintendent, principal, supervisor, a counselor, librarian, school nurse or classroom teacher or in any other instructional, supervisory or administrative capacity.
- Section 1(B): Prohibits districts from taking disciplinary actions against teachers for
 - disclosing public information to correct what is reasonably believed to be a violation of the Oklahoma Constitution, law or promulgated rule,
 - reporting a violation of the Oklahoma Constitution or state or federal law,
 - taking one of the above actions without giving prior notice to the teacher's supervisor or anyone else in the teacher's chain of command.
- Section 1(C): Defines "reporting" to mean providing a spoken or written account to a supervising teacher, administrator, school board member, the State Department of Education, law enforcement, district attorney and/or legal guardian of an impacted student.
- Section 1(D): Requires school districts to prominently post or publish a copy of this section of law where it can come to the attention of all teachers.
- Section 1(E): Clarifies that these provisions should not be interpreted to allow a teacher to violate a students' or parents' rights to confidentiality under the Family Educational Rights and Privacy Act (FERPA).

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.

New law at: 70 O.S. §6-101.6b

Helpful statutory reference: 70 O.S. §1-116



H.B. 1957

RE: H.B. 1957

SUBJECT: Alternative placement teaching certificates

House Bill 1957 becomes effective July 1, 2017. This bill removes the statutory two-year work experience requirement for teachers enrolled in an alternative certification program.

- Section 1(C)(4): Deletes the requirement for persons enrolled in an alternative placement program to document at least two years of work experience related to the subject area of specialization if the person has only a baccalaureate degree with no postbaccalaureate work in a related area.

NOTE: New administrative rules require candidates pursuing an alternative teaching certificate to prove competency, which may include work experience depending on the candidate's other qualifications.

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

Amendment to: 70 O.S. §6-122.3



H.B. 1992

RE: H.B. 1992

SUBJECT: State Accrediting Agency

House Bill 1992 becomes effective August 25, 2017. This bill recreates the State Accrediting Agency until July 1, 2018 to approve education programs for veterans.

- Section 1: Recreates the State Accrediting Agency until July 1, 2018, extended from July 1, 2017.
 - Designates the State Superintendent of Public Instruction, State Director of the Department of Career and Technology Education, the Chancellor of the State Regents for Higher Education or their designees, and two honorably discharged war veterans appointed by the Governor to serve.
 - Designates this entity as the “state approving agency” referred to in the Veterans’ Readjustment Assistance Act of 1952 with the authority to enter into and carry out contracts with the U.S. Dept. of Veterans Affairs and other federal agencies for the approval of courses for on-the-job training, institutional on-farm training, apprentice training, war veterans’ educational programs or any other veterans’ training programs authorized by federal law.

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

Amendment to: 72 O.S. §241



H.B. 1996

RE: H.B. 1996

SUBJECT: Oklahoma Partnership for School Readiness Board

House Bill 1996 becomes effective August 25, 2017. This bill recreates the Oklahoma Partnership for School Readiness Board until July 1, 2021 to promote school readiness efforts.

- Section 1(A): Recreates the Oklahoma Partnership for School Readiness Board until July 1, 2021, which would have sunset July 1, 2017.
 - Establishes the purpose of the Board to promote school readiness supporting community-based efforts to increase the number of children who are ready to succeed by the time they enter school and to fulfill the responsibilities of the state's Early Childhood Advisory Council as required under the Head Start Act of 2007.
 - Designates 15 private sector representatives appointed by the Governor to serve on the Board, as well as, 15 public sector representatives or their designees, including the State Superintendent of Public Instruction.

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

Amendment to: 10 O.S. §640.1



H.B. 2008

RE: H.B. 2008

SUBJECT: Dyslexia and Education Task Force

House Bill 2008 becomes effective May 15, 2017. This bill creates the Dyslexia and Education Task Force until December 31, 2018 to study and make recommendations to better serve students with reading difficulties, including dyslexia.

- Section 1(A): Creates the Dyslexia and Education Task Force until December 31, 2018 with the purpose of creating a dyslexia handbook to provide guidance to schools, students and parents on identification, intervention and support of students with dyslexia through accommodations and assistive technology.
- Section 1(B): Requires the task force to have 20 members:
 - the Superintendent of Public Instruction or Designee
 - a student with dyslexia appointed by the Speaker of the House
 - a parent of a student with dyslexia appointed by the President Pro Tempore of the Senate
 - a classroom teacher appointed by the Governor
 - a special education teacher appointed by the Speaker of the House
 - a school principal appointed by the President Pro Tempore of the Senate
 - a school counselor appointed by the Governor
 - a school district director of special services appointed by the Speaker of the House
 - a school superintendent appointed by the President Pro Tempore of the Senate
 - a school psychologist or psychometrician employed by a district serving PreK-12 appointed by the Governor
 - a reading specialist or literary coach employed by a district serving grades PreK-12 appointed by the Speaker of the House
- Section 1(C): Requires appointments to be made by September 1, 2017, with members serving at the pleasure of the appointing authority.
- Section 1(D): Requires an organizational meeting to be conducted by October 1, 2017.
- Section 1(E): Authorizes the task force to meet as many times and as frequently as needed to fulfill the duties, but members will not be reimbursed for travel.

- Section 1(F): Outlines the duties of the task force which include the following:
 - Study how to effectively identify students with reading difficulties, including dyslexia.
 - Study the response-to-intervention (RTI) process, as well as other effective research-based approaches to identify the appropriate measures for assisting students with dyslexia.
 - Make recommendations for resources and interventions.
 - Make this information available in a handbook for schools, teachers and families to use as a resource.
- Section 1(G): Requires the task force to follow the Open Meeting and Open Records Acts.
- Section 1(H): Requires staff from the House of Representatives and Senate to provide assistance to the task force.
- Section 1(I): Requires the task force to submit a report of its findings to the Legislature and Governor no later than December 1, 2018.

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

New law not codified



H.B. 2034

RE: H.B. 2034

SUBJECT: Oklahoma State Pension Commission

House Bill 2034 becomes effective November 1, 2017. This bill makes changes to the membership of the Oklahoma State Pension Commission.

- Section 1(A)(4): Removes a senator from the commission membership, replacing the appointment with a member who has demonstrated experience in the investment of private or public funds to be appointed by the President Pro Tempore of the Senate.
- Section 1(A)(5): Removes a representative from the commission membership, replacing the appointment with a member who has demonstrated experience in the investment of private or public funds to be appointed by the Speaker of the House of Representatives.

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

Amendment to: 74 O.S. §941



H.B. 2155

RE: H.B. 2155

SUBJECT: Statewide system of college and career planning tools

House Bill 2155 becomes effective November 1, 2017. This bill creates an Individual Career Academic Plan (ICAP) for students entering the ninth grade to assist them with defining postsecondary and career goals, aligning coursework and creating a path to reach their goals.

- Section 1(A): Defines “Individual Career and Academic Plan (ICAP)” as an individualized plan developed by the student and his or her parent/legal guardian in collaboration with school counselors, administration, teachers and other school personnel.
 - An ICAP is used to help students establish personalized career and academic goals, explore postsecondary opportunities, align coursework and curriculum, apply to postsecondary institutions, secure financial aid and ultimately enter the workforce.
- Section 1(B): Requires the State Board of Education to work with school districts to incorporate ICAP into graduation requirements.
- Section 1(B)(1): Requires students entering the ninth grade in the 2019-20 school year to complete and annually update their ICAP in order to graduate from a public school with a standard diploma. Each ICAP shall include, but not be limited to,
 - career- and college-interest surveys,
 - written postsecondary and workforce goals, as well as progress toward those goals,
 - an intentional sequence of courses that reflect progress toward those goals,
 - the student’s academic progress, including courses taken, test scores, remediation, Advanced Placement, International Baccalaureate, concurrent enrollment credits and certifications, and
 - experience in-service learning and/or work environment activities.
- Section 1(B)(2): Lists the following schedule in which the ICAP system will be implemented:

- For 2017-18, the State Department of Education, State Regents for Higher Education and the State Board of Career and Technology Education will develop ICAP tools for students in grades six through twelve.
- For 2018-19, the Department will incorporate the ICAP on a pilot program basis.
- For 2019-20 and each school year thereafter, school districts must fully incorporate ICAPs for all students entering the ninth grade.
- Section 1(C): Clarifies that nothing in the bill prevents a district from implementing the ICAP program for students in earlier grades.
- Section 1(D): Requires ICAPs for students with disabilities to take into account and work with the students' individualized education programs (IEPs).

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

New law at: 70 O.S. §1210.508-4



H.B. 2156

RE: H.B. 2156

SUBJECT: Student competency standards

House Bill 2156 becomes effective July 1, 2018. This bill allows students completing the core curriculum units for graduation to have the option of taking one unit of foreign or non-English language.

Current law requires students completing the core curriculum units to take one unit of computer education in order to graduate from a public high school with a standard diploma.

- Section 1(D)(6): Allows one unit or set of competencies of foreign or non-English language (World language) to be taken in place of computer education.

NOTE: The effective date of this bill is the same as the effective date of S.B. 1380 (2016), such that all of the changes will go into effect at the same time. These changes will affect the class of 2019 (those students entering the 10th grade in 2016-17).

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: 70 O.S. §11-103.6



H.B. 2157

RE: H.B. 2157

SUBJECT: Education personnel compensation

House Bill 2157 becomes effective July 1, 2017. This bill allows for retention pay to not be included in a teacher's compensation and allows paraprofessionals under existing contracts to *continue* to be compensated while they are student teaching.

- Section 1(A): Eliminates the restriction within the definition of compensation that retention incentive pay be one time only or for teachers returning a second year, effectively allowing retention pay for returning in any subsequent year.
- Section 2(C): Allows a board of education of a school district to *extend an existing contract* with a paraprofessional providing for the payment of compensation for paraprofessional services rendered during the same time period during which they are also assigned to the school district for student teaching.

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

Amendment to: 70 O.S. §18-114.9, 6-127A



H.B. 2178

RE: H.B. 2178

SUBJECT: Credit card transactions

House Bill 2178 becomes effective November 1, 2017. This bill allows private schools to charge a service fee on credit and debit card transactions.

Current law prohibits a seller from imposing a surcharge on a cardholder electing to pay by credit or debit card, except that a seller may provide a discount to induce payment by cash, check or other means. Such discount is not deemed to be a service charge.

- Section 1(E): Provides an exception to current law for a private school to charge a service fee on sales transactions paid for by credit or debit card instead of paying by cash, check or similar means, provided that fee is limited to bank processing fees and financial transaction fees, the cost of providing for secure transaction, portal fees, and fees to compensate for increased bandwidth incurred as a result of providing for online transactions.
 - Defines “private school” as a nonpublic entity conducting an educational program for at least one grade between prekindergarten through twelve.

Current law prohibits sellers from imposing a surcharge on a cardholder electing to use a debit or credit card.

- Section 2(C): Provides an exception to current law for a private school to charge a service fee on sales transactions paid for by credit or debit card instead of paying by cash, check or similar means, provided that fee is limited to bank processing fees and financial transaction fees, the cost of providing for secure transaction, portal fees, and fees to compensate for increased bandwidth incurred as a result of providing for online transactions.
 - Defines “private school” as a nonpublic entity conducting an educational program for at least one grade between prekindergarten through twelve.

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: 14A O.S. §2-211, 2-417



H.B. 2181

RE: H.B. 2181

SUBJECT: Minutes of school board and municipal meetings

House Bill 2181 becomes effective November 1, 2017. This bill requires board minutes to be provided to local newspapers within four business days *following* a meeting.

Current law requires the board clerk to furnish tentative minutes of every board meeting to local newspapers that request them in writing.

- Section 1(B): Changes the timeframe by when such minutes are to be provided from five business days to close of business on the fourth business day *after* the meeting.
- Section 1(C): Defines “business days” to mean Monday through Friday, excluding holidays legally declared by the State of Oklahoma.

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. §115



H.B. 2311

RE: H.B. 2311

SUBJECT: Agency Performance and Accountability Act

House Bill 2311 becomes effective May 24, 2017. This bill creates the Agency Performance and Accountability Commission to conduct independent audits of the top 20 appropriated state agencies.

- Section 2: Creates the Agency Performance and Accountability Commission comprised of nine members appointed by the Governor, President Pro Tempore of the Senate and Speaker of the House, and includes the Director of the Office of Management and Enterprise Services (OMES) or designee, who will be an ex officio, nonvoting member.
- Section 3: Directs the Commission to conduct independent comprehensive performance audits (ICPAs) for each of the top 20 appropriated state agencies at least once every four years according to a schedule developed by the Commission, or any other agency at its discretion. Requires an annual report by December 31 of each year, the results of which may be used by the Legislature to implement budgeting and policy changes.
 - Defines “independent comprehensive performance audit (ICPA)” to include review and analysis of the economy, efficiency, effectiveness, compliance with relevant laws and policies, management, fiscal affairs and operations.
- Section 4(A): Authorizes the Commission to contract with a private company, nonprofit organization or academic institution to assist with the audit. The Commission may also contract with the State Auditor and Inspector to conduct the audits. The cost of the contracts will be paid by the Legislative Services Bureau.
- Section 4(C): Requires the ICPA to include the following components:
 - Policies including constitutional mandates, statutory mandates and authorizations, administrative rules and policies reflected in internal agency documents and practices.
 - All sources of funding, including federal funds, state appropriations, state-dedicated revenues, fee revenue sources, agency revolving funds and any other sources used to pay expenses.

- Management of the agency including governance, capacity, divisions, programs, accounts, information technology and policies and operations which include objective analysis of the roles and functions of the department.
- A schedule for implementation of recommendations.
- Section 4(D): Exempts bills and resolutions introduced to address specific ICPA recommendations from the filing deadlines set by the Legislature.
- Section 5: Requires the audited state agency to implement the recommendations of the commission, with a review no later than 12 months following the completion of the audit. Requires a report of the implementation to be presented to the Governor and Legislature and made publicly available. The agency must provide explanation for any recommendations not implemented.

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. §8001-8005



H.B. 2360

RE: H.B. 2360

SUBJECT: Constitutional Reserve Fund

House Bill 2360 becomes effective July 1, 2017. This bill makes an appropriation to the State Board of Education.

- Section 1: Appropriates \$18,000,000 from the Constitutional Reserve Fund (i.e. Rainy Day Fund) of the State Treasury to the State Board of Education for the financial support of public schools (i.e. funding formula).

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.



H.B. 2386

RE: H.B. 2386

SUBJECT: Education definitions

House Bill 2386 becomes effective June 8, 2017. This bill restores the definition of “teacher” that was changed in H.B. 3218 (2016).

The law was amended in 2016 to narrowly define a “teacher” thereby excluding certain personnel from receiving the Teachers’ Retirement System credit paid against the employee contribution. This definition also excluded certain personnel from other requirements, such as teacher evaluations, reporting of inappropriate behavior and certain professional development requirements.

- Section 1(1): Restores the previous definition of “teacher,” which includes district superintendent, principal, supervisor, school nurse and those employed to serve in any other supervisory or administrative capacity, *in addition to* counselor, librarian, classroom teacher and those employed to serve in any other instructional capacity.

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

Amendment to: 70 O.S. §1-116

Helpful statutory references: 70 O.S. §17-108.2, 6-101.3, 6-101.25, 6-194



H.B. 2387

RE: H.B. 2387

SUBJECT: Office of Juvenile Affairs

House Bill 2387 becomes effective July 1, 2017. This bill authorizes the Office of Juvenile Affairs (OJA) to pursue property and appropriate improvements for better serving the youth in need of secure care and specialty residential services.

- Section 1: Describes the State's intent that the Office of Juvenile Affairs (OJA) plan, develop, redevelop and occupy campus modifications for serving youth in need of secure care and specialty residential services. Directs OJA to plan and execute a construction strategy through an analysis of financing sources through the Office of Management and Enterprise Services (OMES) and the Commissioners of the Land Office (CLO), and authorizes them to pursue the best option.
- Section 2: Authorizes the OJA to sell property at the Central Oklahoma Juvenile Center campus to the CLO at fair market value if this is determined to be the best option. Directs the CLO, on behalf of the OJA, to negotiate a public/private partnership for the construction of juvenile justice assets. States the intent of the Legislature to make appropriations needed for the OJA to make required lease and sublease payments related to real property or improvements or both.
- Section 3: Directs the OJA to work in collaboration with other agencies deemed necessary to develop plans for the repurposing of the Southwest Oklahoma Juvenile Center and the Oklahoma Juvenile Center for Girls campuses. Requires a report to the Governor, Speaker and President Pro Tempore on the recommendations no later than March 31, 2018.
- Section 4: Authorizes the Oklahoma Capitol Improvement Authority, if determined to be the best option, to issue obligations to acquire real property, personal property to construct improvements to real property, and provide funding for repairs, refurbishments and improvements to generate net proceeds in the amount of \$45,000,000. Authorizes the Authority to borrow monies on the credit of the income and revenues to be derived from the leasing of such property and to take other such actions as are necessary for issuance and administration of the obligations. Exempts the obligations, the transfer and the interest earned from any taxation by the State, county, municipality or political subdivision.

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

New law at: 10A O.S. §2-7-618, 2-7-619, 2-7-620, 73 O.S. §701
Helpful statutory reference: 73 O.S. §151



H.B. 2429

RE: H.B. 2429

SUBJECT: Gross Production Tax Code

House Bill 2429 becomes effective July 1, 2017. This bill increases the tax on production of oil and gas wells that are within the first 48 months of production from 1% to 4% for the remaining months beginning July 1, 2017. This bill is projected to result in total revenues of \$95,317,866 for FY18.

Current law levies a tax rate of 1% on horizontally-drilled oil and natural gas wells for the first 48 months of production.

- Section 1(E)(3): Provides that any production within the first 48 months of a well occurring on or after July 1, 2017 will be taxed at a rate of 4% for the remainder of the 48-month period.
- Section 2(B)(3)(d): Directs the first 12.5% of the tax levied on natural gas at 4% to be allocated to each county and apportioned to school districts based on an average daily attendance (ADA) per capita distribution basis, provided the school district makes an ad valorem tax levy of 15 mills for the current year and maintains 12 years of instruction.
- Section 2(B)(7)(b): Directs the first 22.5% of the tax levied on oil at 4% to be placed in the Common Education Technology Fund to be appropriated to the State Department of Education by the Legislature.

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. §1001, 1004

Helpful statutory reference: 62 O.S. §34.90



H.B. 2433

RE: H.B. 2433

SUBJECT: Revenue and taxation

House Bill 2433 becomes effective July 1, 2017. This bill effectively levies a 1.25% sales tax on the sales and transfers of motor vehicles. This bill is projected to result in revenues of \$123,383,000 to the state with \$12,906,000 apportioned to the Education Reform Revolving (1017) Fund.

Current law exempts certain items from sales tax including the sale of motor vehicles and attached accessories.

- Section 1(2): Changes the sales tax exemption to apply to all but 1.25% of the gross receipts of the sales of motor vehicles and any optional equipment or accessories attached. Maintains, that the sale of motor vehicles are not subject to any sales and use tax levied by cities, counties or other state jurisdictions.
- Section 2(a)(4): Changes the excise tax exemption on the transfer or first registration of vehicles, including the optional equipment and accessories attached at the time of sale, to apply to all but 1.25% of the gross receipts.
- Section 3(G), Section 4: Requires the tax and sales tax associated with the purchase of a motor vehicle to be paid by the consumer in the same manner and time as the motor vehicle excise tax.
- Section 5(4): Exempts all but 1.25% of the purchase price of motor vehicles and attached accessories from the excise tax on the storage, use or other consumption of tangible personal property.

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. §1355, 2106, 1361, 1404

Helpful statutory references: 68 O.S. §2101 et seq., 1354, 1403



H.J.R. 1028

RE: H.J.R. 1028

SUBJECT: State Board of Education assessment requirements

House Joint Resolution 1028 was signed by the Governor March 7, 2017. This joint resolution approves the assessment recommendations adopted by the State Board of Education.

Current law requires the Legislature to approve the assessment requirements adopted by the State Board of Education and submitted for legislative review in whole and with or without instructions or disapprove in whole and with or without instructions. The State Board of Education submitted the adopted assessment requirements as required on February 6, 2017.

- Section 1: Approves the adopted assessment requirements in whole without instructions.

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

Helpful reference: H.B. 3218 (2016) §5



S.B. 12

RE: S.B. 12

SUBJECT: Oklahoma Campus Security Act

Senate Bill 12 becomes effective on November 1, 2017. This bill allows private schools to create campus police departments.

Current law authorizes institutions of higher education and boards of education of public school districts to establish campus police departments under the Oklahoma Campus Security Act.

- Section 1: Expands various definitions in the Oklahoma Campus Security Act to include private schools.
 - Section 1(8): Defines “private school” to mean a school that offers a course of instruction for students in one or more grades from prekindergarten through twelfth grade and that is not operated by a governmental entity.
- Section 2: Authorizes governing boards of private schools to establish campus police departments according to the provisions of the Oklahoma Campus Security Act. Describes the requirements for the commissioning of such officers.

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: 74 O.S. §360.16, 360.18



S.B. 14

RE: S.B. 14

SUBJECT: Special license plate

Senate Bill 14 becomes effective on November 1, 2017. This bill creates the Oklahoma License to Educate License Plate, the fees from which will be deposited in the Oklahoma Teacher Recruitment Revolving Fund created in Senate Bill 15.

- Section 2(B)(61): Creates the Oklahoma License to Educate Plate, subject to the enactment of S.B. 15.
 - The plate will be issued to any person wishing to demonstrate support for Oklahoma educators.
 - The plate will be designed in consultation with the State Department of Education.
 - Fees collected from the plates are to be deposited in the Oklahoma Teacher Recruitment Revolving Fund created in Section 2 of S.B. 15.

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

Amendment to: 47 O.S. §1135.5



S.B. 15

RE: S.B. 15

SUBJECT: Teacher recruitment

Senate Bill 15 becomes effective on July 1, 2017. This bill directs the development and implementation of teacher recruitment programs and creates the Oklahoma Teacher Recruitment Revolving Fund to receive the fees authorized by S.B. 14.

- Section 1: Directs the State Department of Education and the State Regents for Higher Education to work in cooperation on a variety of teacher recruitment pursuits, subject to the availability of funds, which include the following:
 - Develop and implement programs to identify and recruit talented students and other persons to the profession.
 - Develop and distribute materials to emphasize the importance of the teaching profession and inform individuals about current assistance programs.
 - Prioritize programs to address the areas of teacher shortage identified in the educator supply-and-demand study.
 - Work in cooperation with the business community and school districts to attract and retain capable teachers, including summer employment opportunities for teachers.
 - Work in cooperation with education associations in developing a long-range program to promote the profession.
- Section 2: Creates the “Oklahoma Teacher Recruitment Revolving Fund” and directs \$20 of the fee from the Oklahoma License to Education license plate created in S.B. 14 to be deposited into the fund. Funds are to be spent to for the purpose of operating teacher recruitment programs.

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

New law at: 70 O.S. §6-131, 6-132



S.B. 29

RE: S.B. 29

SUBJECT: Criminal history record checks for teachers

Senate Bill 29 becomes effective July 1, 2017. This bill eliminates the requirement for a teacher to have a second background check if the teacher has obtained initial certification from the State Department of Education within the past year.

Current law requires a board of education to request that a national criminal history record check be conducted for any person seeking employment.

- Section 1(A): Allows a board of education to not be required to obtain a new criminal history record check for an individual who has obtained certification from the State Department of Education within the previous twelve months.

NOTE: A criminal history record check is required to be conducted at the time of initial certification.

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

Amendment to: 70 O.S. §5-142



S.B. 45

RE: S.B. 45
SUBJECT: Educator contracts

Senate Bill 45 becomes effective July 1, 2017. This bill authorizes the Oklahoma State Department of Education to contract directly with educators for services without being subject to state competitive bidding requirements.

- Section 1(A): Authorizes the State Department of Education, subject to the availability of funds, to directly contract with educators, who are current or retired employees of an Oklahoma public school district, to assist the Department when it is necessary to have the expertise and qualifications of an Oklahoma certified educator.
- Section 1(B): Exempts the contract from being subject to the competitive bidding requirements of the Oklahoma Central Purchasing Act and from being included in the calculation of the educator's salary for purposes of meeting the minimum salary schedule or calculating retirement contributions or benefits.
- Section 2(B)(37): Exempt such contracts from the provisions of the Oklahoma Central Purchasing Act.

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

New law at: 70 O.S. §3-104.8
Amendment to: 74 O.S. §85.12



S.B. 84

RE: S.B. 84

SUBJECT: Reading instruction

Senate Bill 84 becomes effective May 5, 2017. This bill delays the requirement that students who score limited knowledge on the reading portion of the third grade assessment have a Student Reading Proficiency Team to determine retention by one year. The bill also makes the teams permanent and removes the requirement for a reading specialist to be on the team.

- Section 1(G): Clarifies that the program of reading instruction for any third grade student found not to be reading at grade level be developed by a Student Reading Proficiency Team.
- Section 1(H)(4)(a): For the 2016-17 school year, allows for a student not eligible for automatic promotion and who scores at the *unsatisfactory level* on the reading portion of the statewide third grade assessment to be evaluated for probationary promotion by the Student Reading Proficiency Team.
 - Beginning with the 2017-18 school year, allows for a student not eligible for automatic promotion and who scores *below the proficiency level* to be evaluated for probationary promotion by the Student Reading Proficiency Team.
 - Changes the make-up of the Student Reading Proficiency Team for purposes of evaluating students for probationary promotion to include:
 - the parent or guardian of the student,
 - the student's third-grade reading teacher,
 - a fourth-grade reading teacher, and
 - a certified reading specialist, if one is available.
- Section 1(H)(5): Beginning with the 2017-18 school year, requires students who score *below the proficient level*, who are not subject to a good-cause exemption, and who do not qualify for promotion or probationary promotion to be retained in the third grade and provided intensive instructional services.
- Section 1(S): Adds the President Pro Tempore of the Senate and the Speaker of the House to the list of members to receive a Reading Report Card detailing disaggregated trend data and changes the due date of the report to December 31 of each year.

- Section 1(S)(5): Adds a requirement for the number of students tested, the number of students promoted through meeting proficiency, the number of students promoted through good-cause exemptions, the number of students promoted through probationary promotion and the number of students retained to be including in the Reading Report Card.
- Section 1(S)(6): Adds a requirement for data tracking the progression of students promoted through good-cause exemptions and probationary promotion, and students who are retained to be included in the Reading Report Card. The data is to be tracked through the eighth grade and include, but not be limited to, whether the student graduates on time.
- Section 1(S)(9): Adds requirement for the type of reading instruction practices and methods currently being used by Oklahoma school districts to be included in the Reading Report Card. (This provision was previously included in a separate study.)
- Section 1(S)(10): Adds requirement for socioeconomic information, access to reading resources outside of school, and screening for and identification of learning disabilities for students not reading at grade level by third grade to be included in the Reading Report Card. (This provision was previously included in a separate study.)
- Section 1(S)(11): Adds requirement for the types of intensive remediation efforts being conducted by school districts to identify best practices for students that are not reading at grade level to be included in the Reading Report Card. (This provision was previously included in a separate study.)
- Section 2: Repeals the requirement for the State Department of Education to conduct a study of reading instruction and retention of students in the third grade, combining elements of the study into the Reading Report Card described above.

NOTE: H.B. 1760 also amends 70 O.S. §1210.508C and supersedes S.B. 84.

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: 70 O.S. §1210.508C

Repeals: 70 O.S. §1210.508G



S.B. 105

RE: S.B. 105

SUBJECT: State information technology

Senate Bill 105 becomes effective July 1, 2017. This bill allows state agencies to make certain IT purchases without direct approval from the IT division of OMES.

- Section 1: States the intent of the Legislature to streamline the acquisition of certain information technology and telecommunication products by state agencies while maintaining the adherence to state architectural and data security standards and while ensuring supportable information technology and telecommunication solutions are acquired by state agencies.
- Section 2(F)(16): Defines the duties of the Information Services Division of the Office of Management and Enterprise Services (OMES) as approving the purchase of all information technology and telecommunication services and products with the following exceptions:
 - Purchases less than or equal to \$5,000, if the product is purchased with a state purchase card and is listed on either the Approved Hardware or Approved Software list located on the OMES website
 - Purchases between \$5,000 and \$25,000, if the product is purchased using a state purchase card, is listed on a statewide contract, and is listed on Approved Hardware or Approved Software list located on the OMES website
- Section 3(B): Prohibits executive branch agencies from using state funds to enter into any agreement for acquisition of information technology and telecommunications services and equipment without written authorization from the Chief Information Officer with the following exceptions:
 - Purchases less than or equal to \$5,000, if the product is purchased with a state purchase card and is listed on either the Approved Hardware or Approved Software list located on the OMES website
 - Purchases between \$5,000 and \$25,000, if the product is purchased using a state purchase card, is listed on a statewide contract, and is listed on Approved Hardware or Approved Software list located on the OMES website

- Section 4: Prohibits state agencies from spending and encumbering funds for the purchase or lease of any information technology assets without written authorization from the Chief Information Officer with the following exceptions:
 - Purchases less than or equal to \$5,000, if the product is purchased with a state purchase card and is listed on either the Approved Hardware or Approved Software list located on the OMES website
 - Purchases between \$5,000 and \$25,000, if the product is purchased using a state purchase card, is listed on a statewide contract, and is listed on Approved Hardware or Approved Software list located on the OMES website

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

New law not codified: §1

Amendment to: 62 O.S. §34.11.1, 34.12, 35.4



S.B. 151

RE: S.B. 151

SUBJECT: Officers holding other offices

Senate Bill 151 becomes effective on November 1, 2017. This bill excludes OSBI employees elected to a local school board from the dual office-holding prohibition.

Current law prohibits persons holding office under the laws of the state and deputies of any such officer from holding any other office or from being the deputy of any other officeholder, with certain exceptions.

- Section 1(A)(10): Excludes any employee of the Oklahoma State Bureau of Investigation (OSBI) who is elected to a local board of education from the dual office-holding prohibition.

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: 51 O.S. §6



S.B. 191

RE: S.B. 191
SUBJECT: Open records

Senate Bill 191 becomes effective on November 1, 2017. This bill puts limitations around delays in fulfilling open records requests.

Current law requires public bodies to provide prompt, reasonable access to its records.

- Section 1(6): Requires that a delay in providing access to records can only be limited solely to the time required for preparing the documents and to avoid excessive disruptions of the public body's essential functions. Requires that production of a current request cannot be unreasonably delayed until after completion of a prior request that will take substantially longer than the current request.

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: 51 O.S. §24A.5



S.B. 231

RE: S.B. 231

SUBJECT: School health coordinators

Senate Bill 231 becomes effective on November 1, 2017. This bill repeals the School Health Coordinators Pilot Program.

Current law directs the State Department of Education, contingent on the availability of funding, to contract with a statewide nonprofit school health program that promotes the health needs of students to establish a School Health Coordinators Pilot Program with the purpose of assisting elementary schools and Healthy and Fit School Advisory committees in implementing health and wellness programs and providing information to students.

- Section 1: Repeals the School Health Coordinators Pilot Program.

NOTE: It is not apparent that funding was ever provided to implement the pilot program.

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.

Repeals: 70 O.S. §24-100d



S.B. 242

RE: S.B. 242

SUBJECT: Retirement boards

Senate Bill 242 becomes effective on August 25, 2017. This bill adds the State Treasurer to the Teachers' Retirement and Public Employees' Retirement Boards.

- Section 1(2): Directs that appointees of the Board of Trustees of the Teachers' Retirement System serve at the pleasure of the appointing authority and allows them to be removed or replaced without cause.
- Section 1(2)(d): Adds the State Treasurer, or his or her designee, as an ex officio member of the Teachers' Retirement Board.
- Section 1(9): Requires eight votes, changed from seven, to be necessary for a decision by the Board.
- Sections 2 and 3: Adds the State Treasurer, or designee, to the Oklahoma Public Employees' Retirement System.

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

Amendment to: 70 O.S. §17-106, 74 O.S. §905, 906



S.B. 244

RE: S.B. 244

SUBJECT: Virtual charter school attendance

Senate Bill 244 becomes effective on January 1, 2018. This bill requires virtual charter schools to adopt attendance policies meeting certain criteria.

- Section 1(A): Requires each virtual charter school approved and sponsored by the Statewide Virtual School Board to keep a full and complete record of attendance of all students enrolled in one of the student information systems approved by the State Department of Education.
- Section 1(B): Requires the governing body of each virtual charter school to adopt an attendance policy by July 1, 2018, which may allow attendance to be a proportional amount of the required attendance policy based upon the date of enrollment of the student. Requires the attendance policy to include the following provisions:
 - Requires students to meet *one* of the following criteria in order to be considered in attendance for the quarter:
 - completes instructional activities on no less than 90% of the days within the quarter,
 - is on pace for on-time completion of their course, *or*
 - completes no less than 40 instructional activities within the quarter.
 - Requires attendance for students that do not meet the criteria for being in attendance to be recorded as *the greater of*:
 - the number of school days during which the student completed instructional activities in the quarter,
 - the number of school days proportional to the percentage of the course that has been completed, *or*
 - the number of school days proportional to the percentage of the required minimum number of completed instructional activities during the quarter.
- Section 1(C): Defines “instructional activities” to include, but not be limited to, online logins to curriculum or programs, offline activities, completed assignments, testing, face-to-face communications with school staff or service providers or meetings with staff or service providers via teleconference, videoconference, email, text or phone.

- Sections 1(D): Requires virtual charter schools to submit notification to the parent or legal guardian of a student who has been withdrawn due to truancy or is approaching truancy.
- Section 1(E): Allows the Statewide Virtual Charter School Board to promulgate rules to implement these provisions.

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.

New law at: 70 O.S. §3-145.8

Helpful statutory reference: 70 O.S. §3-145.3



S.B. 273

RE: S.B. 273

SUBJECT: Criminal violator inclusions

Senate Bill 273 becomes effective on July 1, 2017. This bill expands the definition of certain crimes to include subcontractors and employees of subcontractors of political subdivisions.

Current law requires certain punishment for those school employees committing the crimes of sodomy, rape and sexual battery against students.

- Section 1(A)(4): Defines the crime of forcible sodomy to include subcontractors and employees of subcontractors of the state or federal government, a county, a municipality or a political subdivision of the state.
- Section 2(A)(7): Defines the crime of rape to include subcontractors and employees of subcontractors of the state or federal government, a county, a municipality or a political subdivision that exercises authority over the victim.
- Section 3(B)(2): Defines the crime of sexual battery to include subcontractors and employees of subcontractors of the state or federal government, a county, a municipality or a political subdivision of the state.

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

Amendment to: 21 O.S. §888, 1111, 1123



S.B. 301

RE: S.B. 301

SUBJECT: Lindsey Nicole Henry Scholarships for Students with Disabilities Program eligibility

Senate Bill 301 becomes effective on September 1, 2017. This bill allows students who are or have been in state custody and have not been in public school in the prior year to be eligible for the Lindsey Nicole Henry Scholarship.

- Section 1(A): Adds students who have had an individualized service plan (ISP) developed to those eligible for the Lindsey Nicole Henry Scholarship. (NOTE: An “individualized service plan,” as defined by state statute, is required to be provided for any child that has been adjudicated to be a deprived child and is to be based upon a comprehensive assessment and evaluation of the child and family, developed with the participation of the parent, legal guardian/custodian, attorney, the guardian ad litem and if any, the child’s tribe and the child, if appropriate.)
- Section 1(B)(1): Allows students who are in out-of-home placement with the Department of Human Services (DHS), who are adopted while in the permanent custody of DHS, or who are in out-of-home placement with the Office of Juvenile Affairs, to be exempt from the eligibility requirement that students spend the prior school year in attendance at a public school in the state.

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

Amendment to: 70 O.S. §13-101.2

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



S.B. 303

RE: S.B. 303

SUBJECT: Criminal history records

Senate Bill 303 becomes effective on November 1, 2017. This bill allows fingerprints to be submitted to the FBI Rap Back System.

Current law authorizes agencies who conduct national criminal history background checks to participate in the Federal Rap Back Program administered by the Oklahoma State Bureau of Investigation (OSBI).

- Section 1(B)(3): Authorizes the OSBI to submit fingerprints to the FBI Rap Back System to be retained for the purpose of being searched by future submissions to the FB Rap Back System, including latent fingerprint searches.

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

Amendment to: 74 O.S. §150.9



S.B. 321

RE: S.B. 321

SUBJECT: Public construction bidding requirements

Senate Bill 321 becomes effective on November 1, 2017. This bill requires notice to prospective bidders of a public construction contract be published in the newspaper at least 21 days prior to opening bids.

Current law requires notice to all prospective bidders of all proposals to award public construction contracts through publication in a newspaper of general circulation. The publication must be made in the county where the work is to be done in two consecutive weekly issues of the newspaper.

- Section 1(1): Requires the first publication be at least 21 days prior to the date set for opening bids, changed from 20 days.

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: 61 O.S. §104



S.B. 357

RE: S.B. 357

SUBJECT: Student loans

Senate Bill 357 becomes effective on July 1, 2017. This bill repeals the authority for licenses awarded by the state to be suspended or not renewed due to default on a student loan.

- Section 1(D): Repeals the authority for the State Regents for Higher Education to notify state licensing boards if a student is in default on payment of a student loan.
- Section 2: Repeals the process for determination, hearing and notification for the suspension or nonrenewal of a license due to default on a student loan.

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

Amendment to: 70 O.S. §623

Repeals: 70 O.S. §623.1



S.B. 403

RE: S.B. 403

SUBJECT: Public meeting procedure

Senate Bill 403 becomes effective on November 1, 2017. This bill allows for electronic posting of meeting agendas for public bodies provided certain conditions are met.

- Section 1(A)(9): Requires all public bodies to display public notice of regularly scheduled meetings at least 24 hours prior to the meeting in *one* of the following methods:
 - Posting information that includes date, time, place and agenda for the meeting in prominent public view at the principal office of the public body or at the location of the meeting if no office exists, *or*
 - Posting on the public body's website, the date, time, place and agenda for the meeting. The body must also offer and maintain an email distribution system to distribute the notice of public meetings, and allow any person to request to be included without charge. The emailed notice must include, either in the body of the email or as an attachment, the date, time, place and agenda for the meeting and be sent no less than 24 hours prior to the meeting. Notice of the meeting must also *be made available* at least 24 hours prior to the meeting either in the principal office or at the location of the meeting during normal business hours.
- Section 1(A)(12): Allows the electronic posting requirements described above to also apply to special meetings of public bodies provided that notice is given 48 hours prior to a special meeting rather than the 24-hour requirement for regularly scheduled meetings.

NOTE: Current law still requires public bodies to post the date, time, place and agenda of each meeting on their website.

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. §311

Helpful statutory reference: 74 O.S. §3102, 3106.2



S.B. 408

RE: S.B. 408

SUBJECT: Special license plates

Senate Bill 408 becomes effective on November 1, 2017. This bill creates seven new license plates and provides the fees for such plates be deposited in the Education Reform Revolving (1017) Fund.

- Section 1(B)(61-67): Creates special license plates for Owasso Rams Supporters, Collinsville Cardinals Supporters, Sperry Pirates Supporters, Skiatook Bulldogs Supporters, Rejoice Christian Eagles Supporters, East Central Cardinals Supporters, and Southeast Spartans Supporters to benefit the Education Reform Revolving Fund, also known as the 1017 Fund.
- Section 1(C): Directs \$20 of the fee from each license plate to be apportioned to the designated fund.
- Section 2: Amends the Education Reform Revolving Fund to receive the funds from these license plates.

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: 47 O.S. §1135.5, 62 O.S. §34.89



S.B. 428

RE: S.B. 428

SUBJECT: Teacher retirement

Senate Bill 428 becomes effective on July 1, 2017. This bill allows retired classroom teachers to return to postretirement employment with no limitation on earnings if they meet certain conditions.

- Section 1(6)(a): Clarifies that a member who is found to be permanently physically or mentally incapacitated at the time of retirement and is not able to perform the necessary duties to continue in his or her current position will receive a monthly retirement payment for life.
- Section 2(A)(1): Clarifies that an employee on paid leave is still considered to be employed, such that time on paid leave does not qualify for the 60-day period that a retiree must sit out before returning to postretirement employment.
- Section 2(A)(3): Beginning July 1, 2017 and for a period of three years following, allows members who have retired as of July 1, 2017 as *active classroom teachers*, who have been receiving a benefit for at least one year, and who have not been employed by any public school during that one-year period, to be eligible to be reemployed as an *active classroom teacher* in common or career tech school districts with no limitations on earnings.
 - The one-year period begins with the retiree's last day of preretirement public education employment.
 - Members who return under these provisions are not subject to any earning limitation should they continue to be employed after the end of the three-year period.
 - Members who return under these provisions must be employed on a temporary contract.

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

Amendment to: 70 O.S. §17-105, 17-116.10



S.B. 445

RE: S.B. 445

SUBJECT: Income tax credit

Senate Bill 445 becomes effective on November 1, 2017. This bill makes modifications to the process for awarding tax credits under the Equal Opportunity Education Scholarship Act should the cap be reached.

Current law caps the amount of tax credits that can be claimed at \$3,500,000 for contributing to an eligible scholarship-granting organization and at \$1,500,000 for contributing to an eligible educational improvement grant organization.

- Section 1(H)(2)(a): If it is determined that the cap has been reached or exceeded for contributions made to *scholarship-granting organizations* in the most recently completed calendar year, directs the Tax Commission to first allocate any amount of credits not claimed for contributions made to educational improvement-granting organizations before determining the proportionate share of the tax credit that may be claimed so that the cap is not exceeded.
- Section 1(H)(2)(b): If it is determined that the cap has been reached or exceeded for contributions made to *educational improvement-granting organizations* in the most recently completed calendar year, directs the Tax Commission to first allocate any amount of credits not claimed for contributions made to scholarship-granting organizations before determining the proportionate share of the tax credit that may be claimed so that the cap is not exceeded.
- Section 1(H)(2)(c): Beginning with tax year 2016, directs that credits earned, but not allowed due to the application of the statewide cap, are suspended and authorized to be used in the next immediate tax year and applied to the next year's statewide cap.

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

Amendment to: 68 O.S. §2357.206



S.B. 476

RE: S.B. 476

SUBJECT: Motor vehicle taxes and fees

Senate Bill 476 becomes effective on August 25, 2017. This bill clarifies how motor vehicle apportionments are to occur.

Current law requires 36.20% of all fees, taxes and penalties collected under the Vehicle License and Registration Act to be apportioned to school districts; provided however, that the amount apportioned not exceed the amount apportioned in FY15.

- Section 1(B)(2): Repeals language that required each district to receive the same amount of funds as they received in the corresponding month of the preceding year. Also, repeals language directing how remaining unallocated funds are to be apportioned.
 - The remaining language results in monies being apportioned to school districts such that each district receives an amount based upon the proportion that their average daily attendance (ADA) bears to the total ADA of all districts entitled to receive motor vehicle 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.

Amendment to: 47 O.S. §1104

Helpful statutory references: 47 O.S. §1-101 et seq.



S.B. 514

RE: S.B. 514
SUBJECT: Schools

Senate Bill 514 becomes effective on July 1, 2017. This bill creates a task force to study and make recommendations on administrative costs, duplication of efforts and possible efficiencies among school districts.

- Section 1(A): Creates a task force to study and make recommendations to the Legislature on administrative costs, eliminating duplicative overhead costs and improving efficiency among school district operations. The task force will sunset July 31, 2018. The task force is directed to study the following:
 - Ways to reduce administrative costs, eliminate duplicative overhead costs and improve efficiency among school district operations,
 - The relative size of school districts, which includes the physical size of the district and proximity to other districts,
 - Average daily membership (ADM),
 - School performance on state assessments and report card, and
 - Financial stability of school districts.
- Section 1(B): Requires the following members to be appointed to the task force:
 - a Senate member, appointed by the President Pro Tempore of the Senate, who will serve as co-chair
 - a House member, appointed by the Speaker of the House, who will serve as co-chair
 - The following members are appointed by the State Department of Education (OSDE):
 - a representative of a statewide association of school board members
 - a representative of a statewide organization representing school administrators

- a superintendent of a school district with an ADM of less than 1,000
 - a superintendent of a school district with an ADM between 1,000 and 2,500
 - a superintendent of a school district with an ADM between 2,500 and 10,000
 - a superintendent of a school district with an ADM of more than 10,000
 - a representative of the Career and Technology Education System
- a member appointed by the Superintendent of Public Instruction
- two representatives of the business community, appointed by the Governor
- Section 1(C): Directs appointments to be made by July 30, 2017 with an organizational meeting to be conducted by August 1, 2017.
- Section 1(D): Directs any final action be approved by a quorum of the task force, which is seven members.
- Section 1(E-H): Allows the task force to meet as often as needed, but does not allow compensation or travel reimbursement for members. Requires the task force to abide by the Open Meeting Act. Requires the OSDE to provide staff support.
- Section 1(I): Requires the task force to submit a report of findings and recommendations to the Governor, President Pro Tempore of the Senate, Speaker of the House, and the chairs of the education committees in the Senate and House by August 1, 2018. Also, requires the OSDE to submit a copy of the report to each superintendent and board of education identified in the report.

Should you have any questions related to this bill, please contact Mr. Matt Holder, Deputy Superintendent of Finance and Federal Programs, at (405) 522-3713, or Ms. Carolyn Thompson, Chief of Government Affairs, at (405) 522-3520.

New law not codified



S.B. 529

RE: S.B. 529

SUBJECT: Oklahoma Higher Learning Access Program

Senate Bill 529 becomes effective on July 1, 2017. This bill makes several changes to the eligibility requirements for the Oklahoma's Promise scholarship, including increasing the income limit.

- Section 1: Clarifies that Oklahoma's Promise is available to students who are pursuing studies in a postsecondary career technology program that would meet the requirements to be eligible for federal student financial aid and is offered by a technology center school supervised by the State Board of Career and Technology Education.
- Section 2: Clarifies that in order to receive the scholarship, CareerTech students must have secured admission to and be enrolled in a postsecondary vocational-technical program offered by a technology center school that meets the requirements to be eligible for federal student financial aid.
- Section 2(C)(1): Requires students to meet the requirements for retention and degree completion established by the institution where the student is enrolled in order to retain eligibility for the scholarship. Repeals language requiring a minimum cumulative GPA.
- Section 3(D): Requires the State Regents for Higher Education to establish a maximum limit on the number of courses or other postsecondary units to which benefits will apply. Also, eliminates the ability for award eligibility to be satisfied for both vocational-technical and college work through a cooperative program.
- Section 3(G): Prohibits award payments for remedial noncredit-earning courses for eligible students beginning with the 2018-19 school year.
- Section 4(D): Increases the federal adjusted gross income limit of a student's parents — in order for a student to be determined to be in financial need — to \$55,000 per year from \$50,000 per year, beginning with student applicants who are in grades 8-10, or between the ages of 13-15, in the 2017-18 school year.
 - Increases the federal adjusted gross income limit of a student's parents — in order for a student to be determined to be in financial need — to \$60,000 per year, beginning with student applicants who are in grades 8-10, or between the ages of 13-15, in the 2021-22 school year.

- Declares that prior to receiving benefits for *any* year in which the student is enrolled, students will not be found to be in financial need if the federal adjusted gross income of the student's parents exceeds \$100,000 per year, beginning with the 2018-19 school year. This determination will apply to students receiving the benefit after the 2017-18 school year.

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

Amendment to: 70 O.S. §2602 - 2605



S.B. 563

RE: S.B. 563

SUBJECT: State purchasing procedures

Senate Bill 563 becomes effective on November 1, 2017. This bill allows school districts and agencies additional opportunities for cooperative agreements for purchasing.

- Section 1(A): Allows any school district or technology school district to participate in, sponsor, conduct or administer a cooperative purchasing agreement for the acquisition of any commodities or services with one or more public agencies, which may include joint or multiparty contracts between public agencies and open-ended state public procurement contracts. This authority is in addition to that provided in the Interlocal Cooperation Act.
- Section 1(B): Allows a local procurement unit to participate in, sponsor, conduct or administer a cooperative or piggybacking purchasing agreement for the acquisition of any commodities or services, including construction services with one or more public procurement units or external procurement units. Purchases made in such a manner are deemed to satisfy the requirements of other state and federal procurement regulations.
- Section 1(C): Defines the following terms:
 - “local public procurement unit” to include any county, city, town, state agency, or subdivision of the state
 - “external procurement unit” to mean any buying organization in the U.S., but outside the state, that would qualify as a public procurement unit
 - “cooperative or piggybacking purchasing agreement” to mean an agreement between public procurement units to use an existing contract or an agreement to provide access to a product or service that has a lower price than a comparable product or service available through the state
- Section 1(D): Clarifies that state agencies are still obligated to adhere to rules regarding statewide contracts and to use a mandatory purchasing contract as designated by the State Purchasing Director.

Should you have any questions related to this bill, please contact Mr. Keith Hicks, 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. §139



S.B. 632

RE: S.B. 632

SUBJECT: Creating the Education Compact for Students in State Care Act

Senate Bill 632 becomes effective on November 1, 2017. This bill creates the Education Compact for Students in State Care to ensure smooth transition of students in state care between schools.

- Section 2: Creates the Education Compact for Students in State Care Advisory Committee which includes three members: a member of the State Department of Education (OSDE), a member of the Office of Juvenile Affairs (OJA), and a member of the Department of Human Services (DHS). Members may meet as often as necessary, but shall not receive compensation or travel reimbursement. Meetings are subject to the Open Meeting Act.
- Section 3(A): Requires the personnel of a sending school district to make every effort to ensure timely delivery of temporary and permanent student records to facilitate the timely transfer and/or enrollment of a student who has been placed in state care.
- Section 3(B): Requires that nondirectory records that cannot be released to the parent/legal guardian be made available to a designee from OJA or DHS.
 - “Nondirectory records” is defined to mean records maintained by a school district which are categorized as private or confidential under the Family Educational Rights and Privacy Act (FERPA), which may include attendance, test performance, special education, health, transcript and report card records.
- Section 3(C): Directs that power of attorney records and DHS out-of-home care placement agreements are sufficient for purposes of enrollment.
- Section 3(D): Directs the receiving school district to enroll and place the student upon arrival, and request the student’s permanent records from the sending school. Requires the sending school to process and furnish the student’s permanent records within three days.
- Section 3(E): Directs students to obtain required immunizations within 30 days from date of enrollment, or if a series is required, 30 days to receive the initial dose. Requires the receiving school to verbally inform the parent/legal guardian/custodian of the immunization requirements.

- Section 4(A): Requires districts receiving students in state care to initially honor the sending school's placement of the student in courses and their assessments; however, authorizes a receiving school to perform its own placement evaluation.
- Section 4(B): Requires receiving schools to take into consideration a student's eligibility for gifted and talented programs, English language learner programs, courses or a sequence of courses offered by a technology center, and extracurricular activities.
- Section 4(C): Requires receiving schools to initially provide comparable services for students on an IEP as they received in the sending district; however, the receiving district is required to conduct their own evaluation for special education and related services in accordance with the IDEA and Rehabilitation Act.
- Section 5: Requires students in state care who are in grades 9-12 to automatically be placed in the core curriculum; however, students who have been accepted into the Oklahoma's Promise scholarship, must be given the opportunity to complete the requirements of the program. Requires the district to collaborate with the parent/legal guardian/custodian to determine if the student should complete the college prep/work ready curriculum. Gives the district authority to waive any applicable graduation requirements established by the local school board to facilitate on-time graduation of the student.

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.

New law at: 70 O.S. §13-130 – 13-134

Helpful statutory references: 10A O.S. 1-6-103, 10 O.S. §700



S.B. 718

RE: S.B. 718

SUBJECT: Oklahoma children's code

Senate Bill 718 becomes effective on November 1, 2017. This bill allows for a children's emergency resource center to serve as the legal residence of a student for school purposes.

- Section 1(12): Defines the term "children's emergency resource center" in the Oklahoma Children's Code to mean a community-based program that may provide emergency care and a safe, structured homelike environment (food, clothing, shelter and hygiene), tutoring, counseling, transition services and transportation to/from school, among other things, to students who are in the custody of the Department of Human Services (DHS) or who have been voluntarily placed by a parent/custodian during a temporary crisis.
- Section 2(11)(q): Includes children's emergency resource center as among those "core community-based" facilities, programs or services provided through the Office of Juvenile Affairs (OJA). Defines "children's emergency resource center" to mean a community-based program that may provide emergency care and a safe, structured homelike environment (food, clothing, shelter and hygiene), tutoring, counseling, transition services and transportation to/from school, among other things, to students who have been detained as delinquent or are in need of supervision and temporarily placed by a court, or children who are in the custody of OJA or have been voluntarily placed by a parent/custodian during a temporary crisis.
- Section 3(B-C): Allows for a student that has been detained to be placed in a children's emergency resource center as designated by a court.
- Section 4: Updates the term "emergency shelter" to "children's emergency resource center" when authorizing OJA to establish and maintain community-based facilities, in its role as planner and coordinator for juvenile justice and delinquency prevention services.
- Section 5: Allows a state-licensed children's emergency resource center or state-operated emergency shelter to serve as the legal residence of a child for school purposes.

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. §1-1-105, 2-1-103, 2-2-201, 2-7-303, 70 O.S. §1-113

Helpful statutory reference: 10A O.S. §2-7-306



S.B. 842

RE: S.B. 842

SUBJECT: Appropriation for education

Senate Bill 842 becomes effective on June 15, 2017. This bill appropriates \$60,185,000 for the ad valorem reimbursement.

- Section 1: Appropriates \$60,185,000 to the State Board of Education from the Constitutional Reserve Fund (Rainy Day Fund) to be transferred to the Ad Valorem Reimbursement Fund for the purpose of reimbursing counties for school districts that claim a loss of revenue due to exemptions of certain ad valorem taxes.
- Section 2: Requires funds to be encumbered and spent within 30 months from the date the bill is approved (i.e. May 24, 2017).

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: Okla. Const. art. X, §6B, 62 O.S. §193



S.B. 852

RE: S.B. 852

SUBJECT: State Board of Education

Senate Bill 852 becomes effective July 1, 2017. This bill makes an appropriation to the State Board of Education.

- Section 1: Appropriates \$33,000,000 from the Constitutional Reserve Fund (i.e. Rainy Day Fund) of the State Treasury to the State Board of Education for the financial support of public schools (i.e. funding formula).
- Section 2: Directs appropriations to be budgeted for FY18 or FY19, but requires funds to be spent by November 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.



S.B. 860

RE: S.B. 860

SUBJECT: General appropriations

Senate Bill 860 §2-165 becomes effective on July 1, 2017. This bill is the general appropriations bill and makes appropriations to the various agencies of the executive, legislative and judicial branches of state government. It appropriates \$2,448,399,829 to the State Board of Education.

NOTE: Total figures referenced in this summary include appropriations made in H.B. 2360 and S.B. 852.

- Section 1: Appropriates \$10,144,171 to the Oklahoma Education Lottery Trust Fund from the Special Cash Fund. (NOTE: This appropriation was made upon the finding by the State Board of Equalization that funds were used to supplant funding for education. Forty-five percent is appropriated to common education.)
- Sections 2-17 (pages 3-6): Appropriates \$2,448,399,829 to the State Board of Education for Fiscal Year 2018 (FY18), which is \$21,678,395 more than was initially appropriated in FY17.
- Financial Support of Public Schools (i.e. funding formula) is appropriated \$1,870,977,666, which is \$274,042 more than beginning FY17.
 - \$1,036,429,437 from the General Revenue Fund
 - \$695,407,138 from the Education Reform Revolving Fund (1017 Fund)
 - \$47,372,299 from the Common Education Technology Fund
 - \$4,275,000 from the Mineral Leasing Fund FY18
 - \$2,624,038 from the Mineral Leasing Fund FY16
 - \$25,939,910 from the Oklahoma Lottery Trust Fund FY18
 - \$5,429,844 from the Oklahoma Lottery Trust Fund FY16
 - \$2,500,000 from the School Consolidation Assistance Fund
 - NOTE: S.B. 852 appropriates \$33,000,000 and H.B. 2360 appropriates \$18,000,000 from the Constitutional Reserve Fund to the financial support of public schools.
- Support of Public School Activities is appropriated \$92,074,033 from the General Revenue Fund, which is \$117,591 more than in FY17.

- Health Benefit Allowance (i.e. Flexible Benefit Allowance/FBA) is appropriated \$462,695,967, which is *\$20,665,445 more* than in FY17, from the General Revenue Fund.
 - \$299,320,340 for Certified Employees
 - \$163,375,627 for Support Personnel
- Textbooks and Instructional Materials is appropriated \$0, which is the same amount as in FY17.
- Administrative and Support Functions of the State Department of Education is appropriated \$15,681,105 from the General Revenue Fund, which is *\$150,239 less* than in FY17.
- School Consolidation Assistance Fund is appropriated \$3,485,529, which is *\$885,778 more* than FY17.
 - \$2,882,213 from the Oklahoma Lottery Trust Fund FY18
 - \$603,316 from the Oklahoma Lottery Trust Fund FY16
- Oklahoma Teachers' Retirement System Dedicated Revenue Revolving Fund is appropriated \$3,485,529, which is *\$885,778 more* than FY17.
 - \$2,882,213 from the Oklahoma Lottery Trust Fund FY18
 - \$603,316 from the Oklahoma Lottery Trust Fund FY16
- Section 166 (page 37): The Ad Valorem Reimbursement Fund is appropriated \$9,815,000 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.

NOTE: An additional \$60,185,000 was appropriated for the Ad Valorem Reimbursement Fund in S.B. 842 for a total of \$70,000,000, which is *\$22,925,909 more* than FY17.

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.



S.B. 867

RE: S.B. 867
SUBJECT: Oil and gas

Senate Bill 867 becomes effective on August 25, 2017. This bill allows for the drilling of long-lateral wells up to 1,280 acres. This bill is projected to result in revenues of \$18,951,000 for FY18, with \$4,737,750 apportioned to schools.

- Section 1(f): Allows the Corporation Commission to establish spacing rules for horizontally drilled oil and gas wells that have spacing units of up to 1,280 acres, increased from 640 acres. Requirements for wells exceeding 640 acres:
 - The unit must include all lands within each governmental section unless the applicant can show reasonable cause.
 - The applicant must be the owner of an interest in each of the oil, gas and other minerals in each of the subsections to be included in the unit.
 - The applicant must include the basis for requesting units exceeding 640 acres. Unless the applicant can show reasonable cause, the lateral length of the initial unit well must be at least 7,500 feet.
 - Without a showing of reasonable cause, the drilling of a *multiunit* horizontal well is not available as the initial well unless the contemplated completed portion exceeds 10,560 feet.

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: 52 O.S. §87.1, 87.6-87.9

