Education Laws & Regulations

2016 Oklahoma Legislative Session

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2016
New Laws Presentation

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2016 House Bills
HB 1065: Employee Issue

- HB 1065 changes the date when employee information worksheets (as required by HB 3109) are to be provided to teachers and administrators from the first payroll in September to the first payroll in November.

HB 2263: Teacher Retirement

- HB 2263 modifies the Oklahoma Teachers Retirement System by extending the 30-day filing period to 60 days before the date of retirement. The measure allows the system’s executive director to waive the 60-day deadline for good cause, as defined by the TRS board.

- Effective November 1, 2016.
HB 2281: Open Records

- HB 2281 requires any public body that makes requested records available on the Internet pursuant to the Oklahoma Open Records Act to meet the obligation of providing prompt, reasonable access to its records.

- Effective November 1, 2016.
HB 2298: Driver’s Education

• HB 2298 provides that a secondary school driver’s education course shall include education regarding the dangers of texting while driving and the effects of being under the influence of alcohol or other intoxicating substances while driving.

• Effective November 1, 2016.
HB 2315: Employee Issue

• HB 2315 authorizes instruction completed by the school district treasurer or encumbrance clerk within three years prior to employment in the position by the school district to count toward satisfying continuing education requirements.

• Effective April 11, 2016.
HB 2371: Employee Issue

• HB 2371 modifies the definition of “mentor teacher” under the Oklahoma Teacher Preparation Act. The expanded definition provides that a mentor teacher may be a current or former classroom teacher with a minimum of two years of classroom teaching experience as a certified teacher.

• Effective July 1, 2016.
HB 2404: Early Childhood

• HB 2404 grants the State Board of Education authority to promulgate rules creating exemptions relating to the maximum age at which a child may attend early childhood programs.

• Effective November 1, 2016.
HB 2432: School Campus

• HB 2432 requires each public school to post in a clearly visible location in a public area of the school that is readily accessible to students a sign in English and Spanish that contains the toll-free telephone number operated by the Department of Human Services to receive reports of child abuse or neglect.

• Effective July 1, 2016.
HB 2510: Open Records

- HB 2510 requires all social security numbers (SSN) included in a public record to be confidential regardless of the person’s status as a public employee or private individual. SSNs are to be redacted or deleted prior to release of the record by the public body.

- Effective November 1, 2016.
HB 2518: Student Safety

• HB 2518 provides an exception for medical consent for minors if an emergency exists, surgery is necessary and an effort has been made to contact a parent or other adult authorized by law to consent on behalf of the minor.

• Effective November 1, 2016.
HB 2535: Curriculum

- HB 2535 creates the Apprenticeships, Internships and Mentorships (AIM) Act of 2016. The measure authorizes the governing body of each public, private, magnet, charter or virtual charter school to enter into an agreement with organizations for the purpose of creating apprenticeship, internship, and mentorship programs beginning with the 2017-2018 school year.
- HB 2535 allows the AIM Program to be available to high school juniors and seniors as permitted by local school districts and allows the AIM to fulfill the requirement of elective courses as the student’s schedule permits. It requires the SBE to promulgate necessary rules.
- Effective November 1, 2016.
HB 2544: School Hours

- HB 2544 changes the date by which a district board of education must notify the State Board of Education that it has adopted a school hours policy, pushing back the date from September 15 to October 15.

- The measure also removes language requiring participating school districts to prepare a report on the impact of the extended day schedule.

- Effective July 1, 2016.
HB 2571: School Buses

- HB 2571 modifies maximum speed limits for school buses. The amended law allows school buses to drive 65 mph on all state highways, rather than the previous maximum speed of 55 mph.

- Effective November 1, 2016.
HB 2614: School Safety

• HB 2614 adds an exclusion for public schools to not provide education services in the regular school setting for a student who has been removed from a public or private school in the state or another state by administrative or judicial process for an act of using electronic communication with intent to terrify, intimidate or harass, or threaten to inflict injury or physical harm to faculty or other students.

• Effective July 1, 2016.
HB 2615: Student Athletes

• HB 2615 prohibits any person from giving or attempting to give money or other things of value to a student athlete or member of their immediate family to encourage the student athlete to participate in an intercollegiate sporting event or program. HB 2615 also prohibits any person from entering into or soliciting a transaction, either directly or through an agent, that could cause the student athlete to lose eligibility.

• HB 2615 requires each public and private high school at the beginning of each sports season to advise in writing each student participating in a school-sponsored athletic program of the bill’s provisions.

• The measure provides that violations will be a misdemeanor punishable by fine.

• Effective November 1, 2016.
HB 2616: Technology Funding

• HB 2616 updates language related to the Oklahoma Universal Service Fund (OUSF), which provides affordable access to the Internet and information services for Oklahoma’s students.
• HB 2616 modifies the procedure for eligible providers to seek and obtain funding and allows the OUSF administrator to issue a determination within 60 days of receipt of a funding request. The measure allows 15 days to file a request for reconsideration.
• HB 2616 adds and modifies definitions relating to the measure, including a clarification that technology center schools are included under the definition of “public school” and thus are eligible for program funding.

• Effective May 9, 2016.
HB 2649: School Hours

• HB 2649 allows two school days, each consisting of not less than six hours, to be counted for attendance purposes in any 24 hour period if one of the school days is for the purpose of parent-teacher conferences.

• Effective July 1, 2016.
HB 2720: Charter Schools

- HB 2720 amends the Oklahoma Charter Schools Act to clarify how public school districts may convert an existing public school to a conversion school. It requires the creation of a conversion plan and stipulates that all votes by the board of education of a school district relating to converting all or part of a traditional public school site to a conversion school be held in an open public session.

- HB 2720 requires a conversion charter school to comply with all accountability measures required of traditional public schools. It adds that a conversion school be effective for five years from the first day of operation or for less than five years if determined by a vote of the board of education of the school district.

- Effective July 1, 2016.
HB 2784: Student Records

- HB 2784 requires the board of education of each school district to compile and maintain both temporary and permanent records of students enrolled in the district and regulate access, disclosure, or communication of information contained in the student records in a manner consistent with state and federal law.
- The measure requires school districts to maintain student transcripts for at least 80 years and requires the disposal of other student records between 5-7 years after the student graduates.
- Effective July 1, 2016.
HB 2797: Humanity of the Unborn Child

- HB 2797 establishes the Humanity of the Unborn Child Act, which requires the State Department of Health to create certain materials to inform women of available services to assist through pregnancy and child rearing. HB 2797 provides that contingent on the availability of funds, the State Department of Education shall work in collaboration with the Dept. of Health to create an instructional program for students to teach the humanity of the unborn child. Local school boards may choose to implement the program. The measure establishes requirements for districts that choose to participate.

- Effective November 1, 2016.
HB 2931: School Safety

• HB 2931 modifies language related to safety plans for school districts. The measure removes the current mandate of two lockdown drills, replacing it with four “security drills,” one of which must be conducted within the first 15 days of each semester.

• HB 2931 requires school districts to document all other safety drills in writing and by school site with a copy of the report remaining at the school site, a copy filed with the district administrative office, and a copy filed with the Oklahoma School Security Institute.

• Effective July 1, 2016.
HB 2946: Teacher Certification

• HB 2946 requires the State Board of Education to promulgate rules establishing a process by which out-of-country certificates will be reviewed and evaluated for purposes of granting a certificate to teach in Oklahoma. It directs the Board to issue a teaching certificate to a person who has successfully completed a competency exam used in a majority of other states, provided the certificate only be for those subject areas and grade levels that correspond with an Oklahoma certification area.

• HB 2946 requires that teaching candidates have on file with the Board a current Oklahoma criminal history record check from the OSBI as well as a national criminal history record check.

• The measure also directs the Board to accept teaching experience from out-of-country schools that are accredited or otherwise appropriately endorsed.

• Effective July 1, 2016.
HB 2957: TLE

- HB 2957 removes references to quantitative components in the TLE and makes quantitative evaluation scores optional at the district level. It eliminates performance measures based on student academic growth (VAMs) and allows high-scoring teachers to be evaluated every three years.
- HB 2957 requires an individualized program of professional development for each teacher and administrator, to be developed in the 2016-2017 school year, piloted in the 2017-2018 school year and fully implemented in the 2018-2019 school year.
- Effective July 1, 2016.
HB 2965: Student Safety

- HB 2965 prohibits a governing body or entity from interfering with an individual’s obligation to report child abuse.
- The measure allows for recovery of damages for a party harmed by interference or retribution against an employee following his or her reporting obligations.

- Effective November 1, 2016.
HB 2967: Employee Issue

- HB 2967 authorizes a school district board of education to enter into a written contract for employment for the ensuing fiscal year with persons who are student teachers, provided the student teacher is not allowed to teach during the ensuing fiscal year until meeting certification requirements.

- Effective July 1, 2016.
HB 2969: Accreditation Standards

• HB 2969 directs the State Board of Education to adopt and the State Department of Education to monitor and enforce accreditation standards for education services pertaining to partial hospitalization programs, day treatment programs, day hospital programs, residential treatment programs and emergency shelter programs for persons between the ages of 3 and 21 years of age.

• Effective August 25, 2016.
HB 3025: Teacher Certification

- HB 3025 adds criteria under which the State Board of Education is permitted to grant an alternative placement teaching certificate to include a person who has successfully completed a terminal degree from an accredited institution, or that the person holds at least a baccalaureate degree from an accredited institution and has qualified work experience in a field that corresponds to an area of certification as determined by the State Board of Education.

- In addition to the above requirements, HB 3025 requires a person to demonstrate competency or have completed a major in a field that corresponds to an area of specialization for an Elementary-Secondary or a Secondary certificate as determined by the SBE or a vocational technical certificate as recommended by the Oklahoma Dept. of Career & Technology Education.

- Effective November 1, 2016.
HB 3102: Employee Issue

• HB 3102 increases the maximum number of clock hours an adjunct teacher may teach from 90 clock hours to 270 clock hours of classroom teaching per semester.

• Effective July 1, 2016.
HB 3103: School Boards

- HB 3103 permits the vacancy of a district board of education to be filled by appointment of the board if there is a vacancy and no candidate has filed to fill the position. Persons appointed to fill a vacant position shall not be required to reside in the vacant board district but must reside within the school district.
- HB 3103 also provides that if a school board member fails to satisfy continuing education requirements as prescribed by law, the school district board of education shall declare the seat of the member vacant within 30 days of receipt of notice that the member has not completed the requirements and shall fill the vacancy according to law.
- If signed by Governor Fallin, the measure will go into effect on August 25, 2016.
HB 3109: Employee Issue

- HB 3109 requires school districts beginning with the 2016-2017 school year to annually provide to each teacher and administrator a copy of an employee information worksheet containing information for each teacher or administrator prior to the first payroll in September.

- School districts are required to designate one or more persons to review the worksheet with any teacher or administrator upon request and answer any questions.

- HB 3109 was amended by HB 1065!

HB 3114: Teacher Issue

- HB 3114 creates the Empowering Teachers to Lead Act. The measure establishes a framework for allowing approved districts to implement various mentoring teacher roles with the goal of improving the performance of new teachers. Teachers who serve in leadership roles work additional days and are compensated accordingly. These teachers also teach a reduced class load to allow adequate time to fulfill the outlined leadership tasks.
- The measure defines terms and requires the board of education of a participating school district to implement the framework and appoint a site-based review council for each school site.
- HB 3114 directs the State Department of Education to submit an annual report detailing any recommendations for changes to the program framework.
- Effective November 1, 2016.
HB 3115: Textbooks

• The measure modifies the definition of textbooks regarding technology-based materials.

• The bill expands the definition of “textbook” to include the purchase of technology-based equipment (hardware).

• Effective April 18, 2016.
HB 3218: Student Assessment

• HB 3218 modifies Oklahoma’s testing program. It eliminates current end-of-instruction exams (EOIs) and directs the State Board of Education (SBE) to adopt a statewide system of student assessments in compliance with ESSA by December 31, 2016. This will reduce testing to the subject areas of ELA, Math, Science, and U.S. History. It requires alignment of the testing program with the Oklahoma Academic Standards. The measure also empowers the SBE to adopt accountability requirements for high school graduation and provides for a transition year in which students, parents, and educators can work together to understand new state standards, assessments, and accountability requirements.

• Effective July 1, 2016.
HCR 1021: Transgender Students

- HCR 1021 is a resolution expressing legislative support for Oklahoma’s Attorney General in taking whatever action necessary to protect Oklahoma students, parents, and school districts from effects of the Dear Colleague Letter on Transgender Students dated May 13, 2016, issued by the Civil Rights Division of the U.S. Dept. of Justice and the Office for Civil Rights of the U.S. Dept. of Education, and from the overreach of the federal government on the issue of the application of Title IX to transgender students and gender identity.

- The resolution also calls on the Superintendent of Public Instruction and the State Board of Education to instruct local boards of education of Oklahoma school districts that they may disregard the Dear Colleague Letter and instead adopt or continue enforcing their own policies to provide a safe and respectful learning environment for all students.
2016 Senate Bills
SB 911: Student Discipline

• SB 911 allows the board of education of each school district to adopt a procedure that requires students to perform campus-site service for violating a district’s discipline policy.

• Effective August 25, 2016.
SB 929: Academic Recognition

• SB 929 creates the “2016 Workforce Oklahoma Academic High School Diploma Recognition Act,” which allows students beginning with the 2020-2021 high school graduating class, who have met all graduation requirements and have participated in an approved program of study leading to a recognized career and/or postsecondary education pathway, to be eligible for certain graduation recognitions on their standard diploma. The measure requires the State Board of Education and the State Board of Career & Technology Education to promulgate necessary rules.

• Effective August 25, 2016.
SB 933: Accreditation Standards

• SB 933 modifies language relating to the current moratorium on accreditation standards for schools. The measure extends the moratorium until such time that per WADM funding on the initial allocation notices reaches an amount equal to or greater than $3,291.60 per WADM for two years in a row.

• SB 933 also provides that a school district seeking flexibility in the use of state-appropriated textbook funding shall be required to demonstrate to the State Board of Education that the textbooks and instructional materials used by the district are current and appropriate for student learning.

• Effective July 1, 2016.
SB 1004: Reporting Requirements

• SB 1004 changes the reporting period for local public school officials concerning dropouts from quarterly to annual.

• Effective July 1, 2016.
SB 1036: Campus Safety

• SB 1036 provides an exemption to the provisions of the Oklahoma Open Records Act. The measure allows the names of school district personnel who have been authorized by a board of education to carry a firearm onto school property to be kept confidential.

• Effective July 1, 2016.
SB 1038: Teacher Certification

• SB 1038 requires the Commission for Educational Quality and Accountability to establish a Teaching Certification Scholarship Program and Revolving Fund to provide qualifying teacher candidates seeking certification with a scholarship toward the cost of competency examinations.

• SB 1038 requires the Commission to establish eligibility criteria. It also requires the recipient of the scholarship to teach in Oklahoma for a minimum of one year.

• Effective January 1, 2017.
SB 1105: Remediation & Intervention

• SB 1105 allows students who have been denied a standard diploma for failing to meet academic requirement to re-enroll in the school district and receive remediation or intervention and the opportunity to complete the required curriculum units or sets of competencies in order to obtain a standard diploma.

• Students who re-enroll according to the provisions of this law shall be exempt from hourly instructional requirements and six-period enrollment requirements.

• Effective July 1, 2016.
SB 1128: Pensions

• SB 1128 establishes the “Oklahoma Pension Improvement Revolving Fund” for the retirement systems of the state of Oklahoma. It requires that the fund be a continuing fund not subject to fiscal year limitations and consist of all monies received and placed in the fund for the benefit of retired members and beneficiaries of the retirement systems of Oklahoma.
• SB 1128 requires expenditures from the fund be made only pursuant to legislative appropriation from the Oklahoma Pension Improvement Revolving Fund.
• Effective August 25, 2016.
SB 1159: Weapons

• SB 1159 amends current law regarding the carrying of certain weapons. The measure removes dagger, bowie knife, dirk knife, and sword cane from the list of weapons that are unlawful to carry.

• Effective November 1, 2016.
SB 1164: Concussion Safety

- SB 1164 directs the State Dept. of Health to create a concussion management section on its website to provide guidelines for each school district board of education to develop policies and procedures pertaining to signs and symptoms of a concussion or head injury.

- SB 1164 also provides that information regarding concussion and head injuries shall be disseminated to student athletes and their parent or guardian prior to athletic participation.

- Effective November 1, 2016.
SB 1269: College & Career Endorsements

• SB 1269 directs the State Board of Education, in collaboration with the State Board of CareerTech and the State Regents for Higher Ed, to develop college and career endorsements that will provide distinction and direct student coursework toward clear career pathways. The measure allows a student to earn a college and career endorsement by satisfying the curriculum requirements in various specified categories.

• SB 1269 instructs the State Board of Education to develop and implement a mechanism by which to recognize college and career endorsements.

• Effective November 1, 2016.
SB 1369: Homeless Children & Youth

• SB 1369 defines the terms “homeless children and youth,” “runaway,” and “youth at risk of homelessness.” The bill requires information concerning youth at risk of homelessness and runaways to be included in reporting from the Oklahoma Commission on Children and Youth’s Office of Planning and Coordination.

• Effective November 1, 2016.
SB 1380: Graduation Requirements

• SB 1380 modifies graduation requirements by amending the description of Laboratory Science units or sets of competencies. It expands the list of courses eligible to fulfill that requirement.

• SB 1380 also reduces the number of required Art units from 2 units to 1 unit and adds a unit of Computer Education to graduation requirements.

• Effective July 1, 2018.
SB 1431: School Improvement

- SB 1431 requires the State Board of Education to establish a process to identify schools in the state that are persistently listed as low performing in accordance with federal law. It requires that a district board of education for a school identified as being among the schools in the state that are persistently listed as low performing to implement a locally developed, evidence-based intervention model for the school.
- SB 1431 directs the district board of education of such school to seek support from the SDE if the school is identified for improvement by the State Board for four consecutive years. The measure specifies what constitutes “state support” and how long the school is allowed to receive it. It authorizes the State Board to assume control over certain schools that continue to be identified as low performing even after being provided state support.
- Effective July 1, 2016.
SJR 72: Separation of Church & State

- SJR 72 directs the Secretary of State to refer to a vote of the people the repeal of Article 2, Section 5 of the Oklahoma Constitution, which prohibits the use of public monies or property for sectarian or religious purposes.
- State Question 790 has been sent to Governor Fallin for review and potential placement on the November 2016 ballot.
2016 SDE Rules
Legal Status of Proposed Rules

• The omnibus bill of all proposed agency administrative rules did not pass the legislature this session.

• 75 O.S. §308.3 authorizes Governor Fallin to issue a declaration approving all rules contained in the omnibus resolution.

• Governor Fallin will have to declare the rules to be approved and finally adopted by publishing her declaration in the Oklahoma Register in order for these rules to take effect.
Proposed amendments to 210:10-13-2 make changes to the definition of “Full Academic Year (FAY) student.” Under the proposed FAY definition, a student shall be considered FAY if enrolled within the first 20 instructional days of the school’s instructional year—through and including the date of the exam, without an enrollment lapse of 10 or more days.

This is the proposed permanent version of an emergency rule currently in effect.
Teacher Education & Certification

- The amendment to Rule 210:20-9-98 updates administrative requirements for teacher certification to reflect changes in federal and state law.
- In federal law, 8 U.S.C. § 1621 classifies a professional license issued by a state agency as a “state or local public benefit.”
- In Oklahoma law, 56 O.S. § 71 provides that “every agency...of this state shall verify the lawful presence in the United States of any natural person 14 years of age or older who has applied for state or local public benefits, as defined in 8 U.S.C. § 1621.”
Accreditation Standards for Secondary Schools

- Rule 210:35-9-31 adds a provision to the graduation requirements rule that directs district boards of education to waive the Oklahoma History requirement for children of military families who have completed a similar state history class in another state.
- HB 1330 directs the State Board of Education to adopt rules implementing this waiver.
Parent Education Programs

• Amendments to Rules 210:40-75-2 through 210:40-75-7 implement changes to the name of the program of parent education made by SB 285 in 2015.

• SB 285 eliminated references to the Oklahoma Parents as Teachers (OPAT) program, substituting the more general term “program of parent education” for greater flexibility. The proposed amendments incorporate this change, and other language adjustments are made to reflect the current Oklahoma program.

• Amendments also reflect the shift of program authority from the State Board of Education to the State Department of Education.
Rule 210:10-13-1 has been amended to reflect statutory changes. HB 2069 (2015) amended the residency statute at 70 O.S. § 1-113 to provide that a foster parent may choose among three options for a foster child’s district of residence: the location of the current foster home, the location of the child’s previous foster home, and the child’s district of residence before being placed in foster care.

The rule is updated to reflect these options and another statutory change which extends the timeframe when the district of residence must be notified of a child’s admittance to a facility from “within 7 days of admittance” to “within 11 days of admittance.”
PASS Standards for World Languages

• Rules 210:15-3-133 through 210:15-3-137 have been revoked pursuant to HB 3399 (2014), which removed the approval of academic subject standards from the administrative rulemaking process. Now that the new academic standards have received legislative approval and been codified under five new rule sections in Part 15, the superseded former standards must be revoked to update the code.
Staff: Support Personnel

- Rule 210:20-27-1 updates the school district reporting requirements for support personnel to incorporate changes made last year to the report titles and reporting dates in the certified personnel rule.
- The “Final Support Personnel Report” is re-titled as the “Mid-Year Support Personnel Report.”
- The “Supplemental Support Personnel Report” due June 1 is updated with a July 15 due date.
Finance: Funding Criteria

• Rule 210:25-3-4 is amended to remove language that too broadly states the eligibility of certain teachers for credit for years of teaching service. Certified teachers who work for Statewide Virtual Charter Schools that do not directly contract with their teachers and instead contract with a third party provider are not eligible to accrue credit for years of teaching service. The amendment cleans up overbroad language to prevent confusion over eligibility.
Classification of Financial Transactions

• Rule 210:25-7-1 is updated to reflect changes to federal regulations and guidance. The definition for “Equipment” is amended from an acquisition cost of at least $2,500 to $5,000, to reflect a revised dollar amount in the Code of Federal Regulations definition. A reference to an outdated handbook is also updated and a statement is added referring to the availability of the OCAS manual on the State Department of Education website.
Teaching Certificate Requirements

• Rule 210:20-9-9 is amended to strike references to a specific “license” category for first-year teachers, a certification status that no longer exists.
Teaching Certificate Requirements

• Rule 210:20-9-10.2 is revoked because the authorizing statute has been repealed. The Teacher Competency Review Panel (TCRP) that was described in state statute is no longer in place and codification of the TCRP fee is no longer appropriate.
Teacher Certification

• Rule 210:20-9-94 is amended to remove language that referred to a certification category which is no longer in use—a former one year license for first-year teachers.

• A provision is also added to the subsection on emergency certification, which provides that the one year validity period of an emergency teaching certificate may be extended for one additional year at the request of the superintendent of the employing district.
Teacher Certification

- Rule 210:20-9-95 is amended to comply with statutory requirements of SB 29 (2015). Under the amendments, the teaching certificate of an applicant who completes all requirements for certification and submits an application and supporting documentation between May 1 and December 31 will have an effective date of July 1.

- The certificate of an applicant who submits the required documentation between January 1 and April 30 will be dated the first day of the month in which the application and documents are received.
Teacher Certification

• Rule 210:20-9-96 is amended to strike references to a specific “license” category for first-year teachers, a certification status that no longer exists.

• The amendments also strike reference to a “professional certificate” category no longer in use.
Teacher Certification

• Rule **210:20-9-100** is revoked because the authorizing statute has been repealed. The Teacher Competency Review Panel that was described by 70 O.S. § 6-202 is no longer in place and the rule is no longer in effect.
Accreditation Standards: School Staff

- Amendments to rules 210:35-7-41 and 210:35-9-41 provide that a teacher and school district may agree in writing to waive the minimum weekly teacher planning time established by the rules, as long as the teacher is compensated with a stipend.

- School districts must currently request exceptions to the minimum weekly planning time through the deregulation process, which requires applying directly to the State Board of Education. Providing for the mutually-agreed exception directly in the rules will reduce the administrative burden on school districts and the State Board of Education.
Payments to Charter Schools

• Updates to the charter school rules (Rules 210:40-87-5 through 210:40-87-9) are required due to extensive statutory changes. SB 782 (2015) made several changes to the Oklahoma Charter Schools Act, including adding authorized sponsors and laying out detailed application and contract requirements.

• The rule update adds guidance on the new provisions and establishes a procedure for submitting a sponsorship appeal to the State Board of Education if a school district has denied a proposed charter school’s application for sponsorship. The update also adds guidelines for renewing an existing charter school contract.
Departmental Precepts

• Rule 210:1-3-8.1 is the permanent version of an emergency amendment currently in effect. The amendment eliminates language in the Student Data Act rule that requires the State Department of Education to redact aggregate student data reports for all data cells showing a number lower than 10.

• This change strikes the language that associates a specific number with the definition of “personally identifiable information” (PII), and leaves the rule’s incorporation of the FERPA definition of PII intact. This protects student privacy while providing more flexibility and transparency in the presentation of public data reports.
Curriculum & Instruction—RSA

- Rules 210:15-27-1 through 210:15-27-4 relate to the Reading Sufficiency Act (RSA), and must be updated to incorporate statutory changes made by SB 630 (2015).
- Changes to the rules include the addition of State Board-approved screening instruments as a means of demonstrating reading competency following completion of a Summer Academy Reading Program and clarification that only scores from the reading comprehension and vocabulary portions of the third grade CRT test shall be used in promotion and retention decisions. An additional good cause exemption for promotion is added for students who have been granted a medical emergency exemption during the testing window when the student’s class takes the CRT.
- A new rule, “Program of reading instruction,” outlines the duties of Student Reading Proficiency Teams.
Teacher Certification

- Rule 210:20-9-91 is amended to incorporate statutory changes. SB 20 (2015) directs the State Board of Education to issue teaching certificates to persons who hold valid teaching certifications from other states. The certificate issued to an out-of-state applicant will only be for those subject areas and grade levels most closely aligned to the subject areas and grade levels recognized on the out-of-state certificate.

- An out-of-state teacher with at least 5 years of teaching experience will not be required to take competency examinations, and an out-of-state teacher with fewer than 5 years of experience will have to pass the same subject area competency exams that are required for in-state applicants for a new certificate.
Teacher Certification

- Rule 210:20-9-102 provides that a person seeking a provisional or standard teaching certificate through the paraprofessional program must complete one full school year of relevant employment at a public school.
- The proposed amendment adds language to provide that the teaching experience applicants are required to document may include teaching in either a public or accredited private school. The same teacher certification requirements that apply to public schools in Oklahoma apply to accredited private schools, so this teaching experience should appropriately apply toward the requirements of the paraprofessional program.
Finance: Budgeting & Business Management

• Rule 210:25-5-5 is amended to reflect changes to federal regulations. Office of Management and Budget Circular A 133 has been replaced by the Uniform Administrative Requirements in 2 C.F.R. Part 200, and the rule is updated to incorporate the new reference for districts’ convenience.

• The proposed amendments also clarify that when submitting an annual audit report to the State Department of Education, a school district must include any written correspondence from the auditor.
School Admin. & Instructional Services—Student Assessments

• Rule 210:10-13-22 is the permanent version of an emergency rule currently in effect. The definition of “Full Academic Year (FAY) student” in the rule governing the A-F school accountability system is being updated to reflect that most Oklahoma school districts begin the academic year in August rather than September.

• Under the proposed permanent amendment, a student shall be considered a FAY student if enrolled within the first 20 instructional days of the school’s academic year through and including the date of the exam, without an enrollment lapse of 10 or more days. The previous version classified a student as FAY based on an October 1 enrollment date and did not account for districts’ varying academic calendars.
Workplace Safety Training in Schools

• Rule 210:15-37-1 encourages school districts to incorporate workplace safety training for students in 7th through 12th grade, pursuant to statute. SB 262 (2015) directs the Oklahoma State Department of Education to make available to school districts workplace safety information that has been developed by the Department of Labor, and the rule announces that this curriculum is available on the OSDE website.

• This rule does not impose an obligation on school districts.
Accreditation Standards

• Rule 210:35-3-228 changes the maximum duration of a waiver or deregulation granted by the State Board of Education from one year to three years. The new timeframe aligns with the duration available for School District Empowerment Program requests and is intended to reduce the administrative burden on school districts, which currently must apply annually for each deregulation requested.
2016
New Laws Presentation

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An Act

ENROLLED HOUSE BILL NO. 1065

By: Nollan, Kern, McCullough and Strohm of the House

and

Stanislawski and Pittman of the Senate

An Act relating to schools; amending 70 O.S. 2011, Section 6-101.6, as amended by Section 1 of Enrolled House Bill No. 3109 of the 2nd Session of the 55th Oklahoma Legislature, which relates to categories of employment contracts; and changing time when employee information worksheets are to be provided to teachers and administrators.

SUBJECT: Education employment contracts

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 70 O.S. 2011, Section 6-101.6, as amended by Section 1 of Enrolled House Bill No. 3109 of the 2nd Session of the 55th Oklahoma Legislature, is amended to read as follows:

Section 6-101.6 A. All contracts for employment of, or related employee information worksheets for, a teacher or administrator by a district board of education shall include the following categories in a clear and concise format:

1. Employee information including:
   a. employee's name,
   b. degree(s) employee holds,
c. number of years of teaching credit for salary purposes, and
d. step placement on salary schedule;

2. Salary information including:
   a. pay based on state minimum salary schedule,
   b. district salary supplement,
   c. extra-duty or extracurricular salary amounts, itemized,
   d. other salary,
   e. total salary,
   f. dollar amount of salary paid in cash, and
   g. dollar amount of salary paid in fringe benefits, as defined and allowed by Section 18-114.14 of this title, with an itemized list of each benefit and amount paid toward it; and

3. Benefits information including:
   a. state-paid flexible benefit allowance amount,
   b. district-paid retirement contributions (over any amount for retirement insurance paid as part of salary and excluding any amounts paid pursuant to Section 17-108.1 of this title),
   c. district-paid health insurance (over any amount paid as part of salary),
   d. other district-paid benefits, such as life, dental, disability, salary protection, vision, cancer, health supplemental insurance (over any amount paid as part of salary),
   e. other benefits, with an itemized list of each benefit and dollar amount paid toward it (not including any benefits paid as part of salary), and
f. total district-paid benefits (not including any benefits paid as part of salary).

B. Beginning with the 2016-2017 school year, school districts shall annually provide to each teacher and administrator a copy of an employee information worksheet containing information for each teacher or administrator in the categories listed in subsection A of this section prior to the first payroll in September November. School districts shall designate one or more persons to review the worksheet with any teacher or administrator upon request to answer any questions.

C. The State Department of Education shall require in its annual personnel report the amounts paid in each category set out in subparagraphs a through g of paragraph 2 and subparagraphs a through f of paragraph 3 of subsection A of this section, disaggregated by the categories of administrative personnel and certified teaching personnel.
Passed the House of Representatives the 18th day of May, 2016.

Presiding Officer of the House of Representatives

Passed the Senate the 24th day of May, 2016.

Presiding Officer of the Senate

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this ________________
day of ________________, 20______, at _____ o'clock _____ M.
By: ________________________________

Approved by the Governor of the State of Oklahoma this _______
day of ________________, 20______, at _____ o'clock _____ M.

_________________________________
Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this _______
day of ________________, 20______, at _____ o'clock _____ M.
By: ________________________________

ENR. H. B. NO. 1065  Page 4
An Act relating to the Teachers' Retirement System of Oklahoma; amending 70 O.S. 2011, Sections 17-105, as amended by Section 2, Chapter 101, O.S.L. 2013, 17-106, as last amended by Section 1, Chapter 13, O.S.L. 2014, 17-106.1, as amended by Section 1, Chapter 312, O.S.L. 2012, 17-108.1 and 17-120 (70 O.S. Supp. 2015, Sections 17-105, 17-106 and 17-106.1), which relate to administration of the retirement system; modifying requirements prior to retirement; providing for application and forms; modifying period of time for application; authorizing waiver for good cause shown; imposing requirements on employers with respect to information prior to retirement; imposing responsibility upon employer based on failure to submit information or errors in submission; modifying term; authorizing certain beneficiary designations; providing for certain benefit computation; authorizing payment of benefits to lawfully appointed trustee; providing for construction of statutes in event of conflict; providing for submission of documentation to retirement system; authorizing action by administrative rule under certain circumstances; modifying certain dollar amount with respect to payment of monies without intervention of probate court; modifying required documents; modifying provisions related to qualifications of certain physicians of Medical Board of retirement system; authorizing employment of physicians in special cases; modifying provisions related to reports filed with the Oklahoma State Pension Commission; authorizing direct access to data from
custodian banks; imposing reporting requirements on employers with respect to retirement system members; requiring reasonable access to records; requiring cooperation by employers with auditors; authorizing waiver of late fees for good cause shown; and providing an effective date.

SUBJECT: Teachers' Retirement System

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 70 O.S. 2011, Section 17-105, as amended by Section 2, Chapter 101, O.S.L. 2013 (70 O.S. Supp. 2015, Section 17-105), is amended to read as follows:

Section 17-105. (1) (a) Any member who has attained age fifty-five (55) or who has completed thirty (30) years of creditable service, as defined in Section 17-101 of this title, or for any person who initially became a member prior to July 1, 1992, regardless of whether there were breaks in service after July 1, 1992, whose age and number of years of creditable service total eighty (80) may be retired upon proper application for retirement on forms established by the System and executing a retirement contract. Such a retirement date will also apply to any person who became a member of the sending system as defined in this act, prior to July 1, 1992, regardless of whether there were breaks in service after July 1, 1992. Any person who became a member after June 30, 1992, but prior to November 1, 2011, whose age and number of years of creditable service total ninety (90) may be retired upon proper application for retirement and executing a retirement contract. Any person who becomes a member on or after November 1, 2011, who attains the age of sixty-five (65) years or who reaches a normal retirement date pursuant to subparagraph (d) of paragraph (24) of Section 17-101 of this title having attained a minimum age of sixty (60) years may be retired upon proper application for retirement and executing a retirement contract. The application shall be filed on the form provided by the Board of Trustees for this purpose, not less than thirty (30) sixty (60) days before the date of retirement, provided that the Executive Director may waive the sixty-day deadline for good cause shown as defined by the Board.
1. The employer shall provide the System with the following information for a retiring member, no later than the fifteenth day of the month of retirement: last day physically on the job; last day on payroll; any regular compensation not already reported to the System; and final unused sick leave balance.

2. Failure to submit this information by the deadline, or errors in submitted information that result in a disqualification of retirement eligibility shall be the responsibility of the employer. In cases where the error results in disqualification of retirement eligibility, it is the employer’s responsibility to reemploy the member, or retain the member on the payroll, for the time period required to reach eligibility, not exceeding two (2) months.

(b) An individual who becomes a member of the Teachers' Retirement System after July 1, 1967, shall be employed by the public schools, state colleges or universities of Oklahoma for a minimum of five (5) years and be a contributing member of the Teachers' Retirement System of Oklahoma for a minimum of five (5) years to qualify for monthly retirement benefits from the Teachers' Retirement System of Oklahoma.

(c) Any member with five (5) or more years of Oklahoma teaching service and whose accumulated contributions during such period have not been withdrawn shall be given an indefinite extension of membership beginning with the sixth year following his or her last contributing membership and shall become eligible to apply for retirement and be retired upon attaining age fifty-five (55).

(2) An unclassified optional member who has retired or who retires at sixty-two (62) years of age or older or whose retirement is because of disability shall have his or her minimum retirement benefits calculated on an average salary of Five Thousand Three Hundred Fifty Dollars ($5,350.00) or, if a larger monthly allowance would result, an amount arrived at pursuant to application of the formula prescribed herein.

(3) No member shall receive a lesser retirement benefit than he or she would have received under the law in effect at the time he or she retired. Any individual under the Teachers' Retirement System, who through error in stating the title of the position which he or she held, may, at the discretion of the Board of Trustees, be
changed from the nonclassified optional group to the classified group for the purpose of calculating retirement benefits.

Any individual regardless of residence, who has a minimum of ten (10) years of teaching in Oklahoma schools prior to July 1, 1943, or who taught in Oklahoma schools prior to 1934 and thereafter taught a minimum of ten (10) years and who does not qualify under the present retirement System, or who has a minimum of thirty (30) years of teaching in Oklahoma schools and has reached seventy (70) years of age prior to July 1, 1984, and is not otherwise eligible to receive any benefits from the retirement system shall receive a minimum of One Hundred Fifty Dollars ($150.00) per month in retirement benefits from the Teachers' Retirement System of Oklahoma plus any general increase in benefits for annuitants as may be provided hereafter by the Legislature. Each individual must apply to the Teachers' Retirement System for such benefit and provide evidence to the Teachers' Retirement System that the service was actually rendered. The surviving spouse of any person who made application for the benefit provided for by this paragraph during his or her lifetime but did not receive said benefit may submit an application to the System for payment of said benefit for those months during the lifetime of the deceased person that he or she was eligible for but did not receive the benefit. Upon approval of the application by the Board of Trustees, the benefit shall be paid to the surviving spouse in one lump sum.

(4) The value of each year of prior service is the total monthly retirement benefit divided by the number of years of creditable service.

(5) Upon application of a member who is actively engaged in teaching in Oklahoma or his or her employer, any member who has been a contributing member for ten (10) years may be retired by the Board of Trustees subsequent to the execution and filing thereof, on a disability retirement allowance, provided that it is found by the Board of Trustees after medical examination of such member by a duly qualified physician that such member is mentally or physically incapacitated for further performance of duty, that such incapacity is likely to be permanent, and that such member should be retired. The Board of Trustees shall give due consideration to the conclusions and recommendations in the certified written report of the Medical Board of the Teachers' Retirement System regarding the disability application of such member. If a member is determined to be eligible for disability benefits pursuant to the Social Security System, then such determination shall entitle the member to the
authorized disability retirement allowance provided by law. For members who are not eligible for disability benefits pursuant to the Social Security System, the Board of Trustees shall apply the same standard for which provision is made in the first two sentences of this subsection for determining the eligibility of a person for such disability benefits in making a determination of eligibility for disability benefits as authorized by this subsection.

(6) (a) A member who at the time of retirement has been found to be permanently physically or mentally incapacitated to teach school shall receive a minimum monthly retirement payment for life or until such time as the member may be found to be recovered to the point where he or she may return to teaching. Any member retired before July 1, 1992, shall be eligible to receive the monthly retirement allowance herein provided, but such payment shall not begin until the first payment due him or her after July 1, 1992, and shall not be retroactive. The Board of Trustees is empowered to make such rules and regulations as it considers proper to preserve equity in retirements under this provision, which shall include a provision to protect the rights of the member's spouse.

(b) A member who has qualified for retirement benefits under disability retirement shall have the total monthly payment deducted from his or her accumulated contributions plus interest earned and any money remaining in the member's account after the above deductions at the death of the member shall be paid in a lump sum to the beneficiary or to the estate of the member. Provided, if the deceased disabled member had thirty (30) years or more of creditable service and the death occurred after June 30, 1981, and death occurred prior to the disabled member receiving twelve monthly retirement payments, a surviving spouse may elect to receive the retirement benefit to which the deceased member would have been entitled at the time of death under the Option 2 Plan of Retirement provided for in subsection (8) of this section in lieu of the death benefit provided for in this subsection and in subsection (12) of this section.

(c) Once each year the Board of Trustees may require any disabled annuitant who has not yet attained the age of sixty (60) years to undergo a medical examination, such examination to be made at the place of residence for said disabled annuitant or other place mutually agreed upon by a physician or physicians designated by the Board of Trustees. Should any disabled annuitant who has not yet attained the age of sixty (60) years refuse to submit to at least one medical examination in any such year by a physician or
physicians designated by the Board of Trustees his or her allowance may be discontinued until he or she submits to such examination.

(d) Should the Medical Board report and certify to the Board of Trustees that such disabled annuitant is engaged in or is able to engage in a gainful occupation paying more than the difference between his or her retirement allowance and the average final compensation, and should the Board of Trustees concur in such report then the amount of his or her pension shall be reduced to an amount which, together with his or her retirement allowance and that amount earnable by him or her, shall equal the amount of his or her average final compensation. Should his or her earning capacity be later increased, the amount of his or her pension may be further modified, provided the new pension shall not exceed that amount of the pension originally granted nor an amount, which when added to the amount earnable by the member, together with his or her annuity, equals the amount of his or her average final compensation.

(e) Should a disabled annuitant be restored to active service, his or her disability retirement allowance shall cease and he or she shall again become a member of the Teachers' Retirement System and shall make regular contributions as required under this article. The unused portion of his or her accumulated contributions shall be reestablished to his or her credit in the Teachers' Savings Fund. Any such prior service certificates on the basis of which his or her service was computed at the time of his or her retirement shall be restored to full force and effect.

(7) Should a member before retirement under Section 1-101 et seq. of this title make application for withdrawal duly filed with the Board of Trustees and approved by it, not earlier than four (4) months after the date of termination of such service as a teacher, the contribution standing to the credit of his or her individual account in the Teachers' Savings Fund shall be paid to him or her or, in the event of his or her death before retirement, shall be paid to such person or persons as he or she shall have nominated by written designation, duly executed and filed with the Board of Trustees; provided, however, if there be no designated beneficiary surviving upon such death, such contributions shall be paid to his or her administrators, executors, or assigns, together with interest as hereinafter provided. In lieu of a lump-sum settlement at the death of the member, the amount of money the member has on deposit in the Teachers' Savings Fund and the money the member has on deposit in the Teachers' Deposit Fund may be paid in monthly payments to a designated beneficiary, who must be the spouse, under
the Maximum or Option 1 Plan of Retirement providing the monthly payment shall be not less than Twenty-five Dollars ($25.00) per month. The monthly payment shall be the actuarial equivalent of the amount becoming due at the member's death based on the sex of the spouse and the age the spouse has attained at the last birthday prior to the member's death. Provided further, if there be no designated beneficiary surviving upon such death, and the contributions standing to the credit of such member do not exceed Two Hundred Dollars ($200.00), no part of such contributions shall be subject to the payment of any expense of the last illness or funeral of the deceased member or any expense of administration of the estate of such deceased and the Board of Trustees, upon satisfactory proof of the death of such member and of the name or names of the person or persons who would be entitled to receive such contributions under the laws of descent and distribution of the state, may authorize the payment of accumulated contributions to such person or persons. A member terminating his or her membership by withdrawal after June 30, 2003, shall have the interest computed at a rate of interest determined by the Board of Trustees and paid to him or her subject to the following schedule:

(a) If termination occurs within sixteen (16) years from the date membership began, fifty percent (50%) of such interest accumulations shall be paid.

(b) With at least sixteen (16) but less than twenty-one (21) years of membership, sixty percent (60%) of such interest accumulations shall be paid.

(c) With at least twenty-one (21) but less than twenty-six (26) years of membership, seventy-five percent (75%) of such interest accumulations shall be paid.

(d) With at least twenty-six (26) years of membership, ninety percent (90%) of such interest accumulations shall be paid.

In case of death of an active member, the interest shall be calculated and restored to the member's account and paid to his or her beneficiary.

(8) (a) In lieu of his or her retirement allowance payable throughout life for such an amount as determined under this section, the member may select a retirement allowance for a reduced amount payable under any of the following options the present value of which is the actuarial equivalent thereof.
(b) A member may select the option under which he or she desires to retire at the end of the school year in which he or she attains age seventy (70) and said option shall be binding and cannot be changed. Provided further that if a member retires before age seventy (70), no election of an option shall be effective in case an annuitant dies before the first payment due under such option has been received.

(c) The first payment of any benefit selected shall be made on the first day of the month following approval of the retirement by the Board of Trustees System. If the named designated beneficiary under Option 2 or 3 dies at any time after the member's retirement date, but before the death of the member, the member shall return to the retirement benefit, including any post retirement benefit increases the member would have received had the member not selected Option 2 or 3 of this subsection. The benefit shall be determined at the date of death of the designated beneficiary or July 1, 1994, whichever is later. This increase shall become effective the first day of the month following the date of death of the designated beneficiary or July 1, 1994, whichever is later, and shall be payable for the member's remaining lifetime. The member shall notify the Teachers' Retirement System of Oklahoma of the death of the designated beneficiary in writing. In the absence of said written notice being filed by the member notifying the Teachers' Retirement System of Oklahoma of the death of the designated beneficiary within six (6) months of the date of death, nothing in this subsection shall require the Teachers' Retirement System of Oklahoma to pay more than six (6) months of retrospective benefits increase.

Option 1. If he or she dies before he or she has received in annuity payments the present value of his or her annuity as it was at the time of his or her retirement, the balance shall be paid to his or her legal representatives or to such person as he or she shall nominate by written designation duly acknowledged and filed with the Board of Trustees at the time of his or her retirement; or

Option 2. A member takes a reduced retirement allowance for life. Upon the death of the member the payments shall continue to the member's designated beneficiary for the life of the beneficiary. The written designation of the beneficiary must be duly acknowledged and filed with the Board of Trustees at the time of the member's retirement and, except as provided in paragraph (e) of this
subsection, cannot be changed after the effective date of the member's retirement; or

Option 3. A member receives a reduced retirement allowance for life. Upon the death of the member one-half (1/2) of the retirement allowance paid the member shall be continued throughout the life of the designated beneficiary. A written designation of a beneficiary must be duly acknowledged and filed with the Board of Trustees at the time of the member's retirement and, except as provided in paragraph (e) of this subsection, cannot be changed after the effective date of the member's retirement; or

Option 4. Some other benefit or benefits shall be paid either to the member or to such person or persons as he or she shall nominate, provided such other benefit or benefits, together with the reduced retirement allowance, shall be certified by the actuary to be of equivalent actuarial value to his or her retirement allowance and shall be approved by the Board of Trustees.

(d) Provided that Option 2 and Option 3 shall not be available if the member's expected benefit is less than fifty percent (50%) of the lump-sum actuarial equivalent and the designated beneficiary is not the spouse of the member.

(e) A member who chose the maximum retirement benefit plan at the time of retirement may make a one-time election to choose either Option 2 or 3 and name the member's spouse as designated beneficiary if the member marries after making the initial election. Such an election shall be made by July 1, 2011, or within one (1) year of the date of marriage, whichever is later. The member shall provide proof of a member's good health before the Board of Trustees will permit a change to either Option 2 or 3 and the naming of a designated beneficiary. A medical examination conducted by a licensed physician is required for purposes of determining good health. Such examination must be approved by the Medical Board. The member shall be required to provide proof of age for the new beneficiary. The Board of Trustees shall adjust the monthly benefit to the actuarially equivalent amount based on the new designated beneficiary's age. The Board of Trustees shall promulgate rules to implement the provisions of this subsection.

(f) A member who retires after the effective date of this act and has selected a retirement allowance for a reduced amount payable under one of the options provided for in this subsection may make a one-time irrevocable election to select a different option within
sixty (60) days of the member's retirement date. The beneficiary designated by the member at the time of retirement shall not be changed if the member makes the election provided for in this paragraph.

(g) Any individual who is eligible to be a beneficiary of a member under this subsection, and who is also a beneficiary of a trust created under the Oklahoma Discretionary and Special Needs Trust Act, Section 175.81 et seq. of Title 60 of the Oklahoma Statutes, or a comparable Trust Act created under the laws of another state, hereinafter collectively referred to as "Trust Acts", may be a beneficiary under this subsection by having the trustee of the trust established for the benefit of that individual named as the legal beneficiary under this subsection. The age of that beneficiary shall be used for calculating any benefit payable to the trust under this subsection. The beneficiary of such a trust shall be treated as the beneficiary under this subsection except that payments of any benefits due under this subsection shall be payable to the lawfully appointed trustee of the trust. The obligation of the System to pay the beneficiary under this subsection shall be satisfied by payment to the trustee whom the System, in good faith, believes to be the lawfully appointed trustee. Any conflict between the statutes creating and governing the Teachers' Retirement System in Section 17-101 et seq. of this title and the provisions of any Trust Act referred to above shall be resolved in favor of the statutes governing the System. If an eligible beneficiary is named at the time of retirement, and becomes a beneficiary of a trust under one of the Trust Acts described herein after that time, the System will acknowledge the trust as the beneficiary upon the submission of adequate documentation of the existence of the trust. All other provisions of this subsection shall apply to these subsequently created trusts.

(h) The Board of Trustees of the System may recognize other trusts set up for the benefit of individuals otherwise eligible to be named as a beneficiary under this subsection by administrative rule if it can be done without undue additional administrative expense of the System.

(9) The governing board of any "public school", as that term is defined in Section 17-101 of this title, is hereby authorized and empowered to pay additional retirement allowances or compensation to any person who was in the employ of such public school for not less than seven (7) school years preceding the date of his or her retirement. Payments so made shall be a proper charge against the
current appropriation or appropriations of any such public school for salaries for the fiscal year in which such payments are made. Such payments shall be made in regular monthly installments in such amounts as the governing board of any such public school, in its judgment, shall determine to be reasonable and appropriate in view of the length and type of service rendered by any such person to such public school by which such person was employed at the time of retirement. All such additional payments shall be uniform, based upon the length of service and the type of services performed, to persons formerly employed by such public school who have retired or been retired in accordance with the provisions of Section 1-104 17-101 et seq. of this title.

The governing board of any such public school may adopt rules and regulations of general application outlining the terms and conditions under which such additional retirement benefits shall be paid, and all decisions of such board shall be final.

(10) In addition to the teachers' retirement herein provided, teachers may voluntarily avail themselves of the Federal Social Security Program upon a district basis.

(11) Upon the death of an in-service member, the System shall pay to the designated beneficiary of the member or, if there is no designated beneficiary or if the designated beneficiary predeceases the member, to the estate of the member, the sum of Eighteen Thousand Dollars ($18,000.00) as a death benefit. Provided, if the deceased member had ten (10) years or more of creditable service and the death occurred after February 1, 1985, the member's designated beneficiary may elect to receive the retirement benefit to which the deceased member would have been entitled at the time of death under the Option 2 plan of retirement in lieu of the death benefit provided for in this subsection. Provided further, the option provided in this subsection is only available when the member has designated one individual as the designated beneficiary. The beneficiary or beneficiaries of death benefits in the amount not to exceed Eighteen Thousand Dollars ($18,000.00), but exclusive of any retirement benefit received by an electing beneficiary based upon creditable service performed by the deceased member, which are provided pursuant to this subsection may elect to disclaim such death benefits in which case such benefits will be transferred to a person licensed as a funeral director or to a lawfully recognized business entity licensed as required by law to provide funeral services for the deceased member. The qualified disclaimer must be in writing and will be an irrevocable and an unqualified refusal to
accept all or a portion of the death benefit. It must be received by the transferor no more than nine (9) months after the later of the day the transfer creating the interest in the disclaiming person is made or the day the disclaiming person attains age twenty-one (21). The interest in the death benefits must pass without direction by the disclaiming person to another person.

(12) Upon the death of an annuitant who has contributed to the System, the retirement system shall pay to the designated beneficiary of the annuitant or, if there is no designated beneficiary or if the designated beneficiary predeceases the annuitant, to the estate of the annuitant, the sum of Five Thousand Dollars ($5,000.00) as a death benefit. The beneficiary or beneficiaries of benefits provided pursuant to this subsection may elect to disclaim such death benefits in which case such benefits will be transferred to a person licensed as a funeral director or to a lawfully recognized business entity licensed as required by law to provide funeral services for the deceased member. The qualified disclaimer must be in writing and will be an irrevocable and an unqualified refusal to accept all or a portion of the death benefit. It must be received by the transferor no more than nine (9) months after the later of the day the transfer creating the interest in the disclaiming person is made or the day the disclaiming person attains age twenty-one (21). The interest in the death benefits must pass without direction by the disclaiming person to another person. The benefit payable pursuant to this subsection shall be deemed, for purposes of federal income taxation, as life insurance proceeds and not as a death benefit if the Internal Revenue Service approves this provision pursuant to a private letter ruling request which shall be submitted by the board of trustees of the System for that purpose.

(13) Upon the death of a member who dies leaving no living beneficiary or having designated his or her estate as beneficiary, the System may pay any applicable death benefit, unpaid contributions, or unpaid benefit which may be subject to probate, in an amount of Five Thousand Dollars ($5,000.00) Twenty-five Thousand Dollars ($25,000.00) or less, without the intervention of the probate court or probate procedure pursuant to Section 1 et seq. of Title 58 of the Oklahoma Statutes.

(a) Before any applicable probate procedure may be waived, the System must be in receipt of the member's proof of death and the following documents from those persons claiming to be the legal heirs of the deceased member:
1. The member's valid last will and testament, trust documents or affidavit that a will does not exist;

2. An affidavit or affidavits of heirship which must state:
   a. the names and signatures of all claiming heirs to the deceased member's estate including the claiming heirs' names, relationship to the deceased, current addresses, tax I.D. numbers if known and current telephone numbers,
   b. a statement or statements by the claiming heirs that no application or petition for the appointment of a personal representative is pending or has been granted in any jurisdiction,
   c. a statement that the value of the deceased member's entire estate is subject to probate, and that the estate wherever located, less liens and encumbrances, does not exceed Five Thousand Dollars ($5,000.00), including the payment of benefits or unpaid contributions from the System as authorized by this subsection,
   d. a description of the personal property claimed, (i.e., death benefit or unpaid contributions or both) together with a statement that such personal property is subject to probate,
   e. a statement by each individual claiming heir identifying the amount of personal property that the heir is claiming from the System, and that the heir has been notified of, is aware of and consents to the identified claims of all the other claiming heirs of the deceased member pending with the System;

3. A written agreement or agreements signed by all claiming heirs of the deceased member which provides that the claiming heirs release, discharge and hold harmless the System from any and all liability, obligations and costs which it may incur as a result of making a payment to any of the deceased member's heirs;
4. A corroborating affidavit from an individual other than a claiming heir, who was familiar with the affairs of the deceased member;

5. Proof that all debts of the deceased member, including payment of last sickness, hospital, medical, death, funeral and burial expenses have been paid or provided for.

(b) The Executive Director of the System shall retain complete discretion in determining which requests for probate waiver may be granted or denied, for any reason. Should the System have any question as to the validity of any document presented by the claiming heirs, or as to any statement or assertion contained therein, the probate requirement provided for in Section 1 et seq. of Title 58 of the Oklahoma Statutes, shall not be waived.

(c) After paying any death benefits or unpaid contributions to any claiming heirs as provided pursuant to this subsection, the System is discharged and released from any and all liability, obligation and costs to the same extent as if the System had dealt with a personal representative of the deceased member. The System is not required to inquire into the truth of any matter specified in this subsection or into the payment of any estate tax liability.

(14) Upon the death of a retired member, the benefit payment for the month in which the retired member died, if not previously paid, shall be made to the beneficiary of the member or to the member's estate if there is no beneficiary. Such benefit payment shall be made in an amount equal to a full monthly benefit payment regardless of the day of the month in which the retired member died.

SECTION 2. AMENDATORY 70 O.S. 2011, Section 17-106, as last amended by Section 1, Chapter 13, O.S.L. 2014 (70 O.S. Supp. 2015, Section 17-106), is amended to read as follows:

Section 17-106. (1) The general administration and responsibility for the proper operation of the retirement system and for making effective the provisions of the act are hereby vested in a Board of Trustees which shall be known as the Board of Trustees and shall be organized immediately after a majority of the trustees provided for in this section shall have qualified and taken the oath of office.
(2) The Board shall consist of the following members:

(a) The State Superintendent of Public Instruction, ex officio or a designee.

(b) The Director of the Office of Management and Enterprise Services, ex officio or a designee.

(c) The Director of the Oklahoma Department of Career and Technology Education, ex officio, or his or her designee.

(d) One member appointed by the Governor whose initial term of office shall expire on January 14, 1991. The members thereafter appointed by the Governor shall serve a term of office of four (4) years which is coterminous with the term of office of the office of the appointing authority.

(e) Two members shall be appointed by the Governor of the State of Oklahoma and approved by the Senate. The two members shall be:

1. a representative of a school of higher education in Oklahoma whose term of office shall initially be one (1) year, and

2. a member of the System of the nonclassified optional personnel status whose initial term of office shall be two (2) years.

After the initial terms of office the terms of the members shall be four (4) years.

(f) Upon the expiration of the term of office of the stockbroker member of the Board, the Governor shall appoint a member to the Board whose initial term of office shall expire on January 14, 1991. The members thereafter appointed by the Governor shall serve a term of office of four (4) years which is coterminous with the term of office of the office of the appointing authority.

(g) Upon the expiration of the term of office of the representative of the insurance industry member of the Board, the Governor shall appoint a member to the Board whose initial term of office shall expire on January 14, 1991. The members thereafter appointed by the Governor shall serve a term of office of four (4) years which is coterminous with the term of office of the office of the appointing authority.
(h) Upon the expiration of the term of office of the investment counselor member of the Board, the Governor shall appoint a member to the Board whose initial term of office shall expire on January 14, 1991. The members thereafter appointed by the Governor shall serve a term of office of four (4) years which is coterminous with the term of office of the office of the appointing authority.

(i) Upon the expiration of the term of office of the active classroom teacher member of the Board, the President Pro Tempore of the Senate shall appoint a member to the Board, who shall be an active classroom teacher and whose initial term of office shall expire on January 8, 1991. The members thereafter appointed by the President Pro Tempore of the Senate shall serve a term of office of four (4) years.

(j) Upon the expiration of the term of office of the retired classroom teacher member of the Board, the Speaker of the House of Representatives shall appoint a member to the Board, who shall be a retired member of the System and whose initial term of office shall expire on January 8, 1991. The members thereafter appointed by the Speaker of the House of Representatives shall serve a term of office of four (4) years.

(k) The Speaker of the House of Representatives shall appoint a member to the Board, who shall be an active classroom teacher and whose initial term of office shall expire on January 3, 1989. The members thereafter appointed by the Speaker of the House of Representatives shall serve a term of office of four (4) years.

(l) The President Pro Tempore of the Senate shall appoint a member to the Board, who shall be a retired member of the System and whose initial term of office shall expire on January 3, 1989. The members thereafter appointed by the President Pro Tempore of the Senate shall serve a term of office of four (4) years.

(m) A statewide organization representing retired educators shall appoint a member to the Board who shall be a nonvoting member.

(3) Persons who are appointed to the Board of Trustees by the Governor pursuant to paragraphs (d), (f), (g) and (h) of subsection (2) of this section shall:
(a) have demonstrated professional experience in investment or funds management, public funds management, public or private pension fund management or retirement system management; or

(b) have demonstrated experience in the banking profession and have demonstrated professional experience in investment or funds management; or

(c) be licensed to practice law in this state and have demonstrated professional experience in commercial matters; or

(d) be licensed by the Oklahoma Accountancy Board to practice in this state as a public accountant or a certified public accountant.

The appointing authorities, in making appointments that conform to the requirements of this subsection, shall give due consideration to balancing the appointments among the criteria specified in paragraphs (a) through (d) of this subsection.

(4) No member of the Board of Trustees shall be a lobbyist registered in this state as provided by law.

(5) Notwithstanding any of the provisions of this section to the contrary, any person serving as an appointed member of the Board of Trustees on July 1, 1988, shall be eligible for reappointment when the term of office of the member expires.

(6) If a vacancy occurs in the office of a trustee, the vacancy shall be filled for the unexpired term in the same manner as the office was previously filled.

(7) Each of the trustees, except those who are state officials serving ex officio, shall receive travel expenses in accordance with the State Travel Reimbursement Act.

(8) Each trustee shall, within ten (10) days after his or her appointment or election, take an oath of office that, so far as it devolves upon him or her, the trustee will diligently and honestly administer the affairs of the Board of Trustees and that he or she will not knowingly violate or willingly permit to be violated any of the provisions of law applicable to the retirement system. Such oath shall be subscribed to by the member making it, certified by the officer before whom it is taken, and immediately filed in the office of the Secretary of State.
(9) Each trustee shall be entitled to one vote on the Board of Trustees. Seven votes shall be necessary for a decision by the trustees at any meeting of the Board.

(10) Subject to the limitations of this act, the Board of Trustees shall, from time to time, establish rules and regulations for the administration of the funds created by this act and for the transaction of its business. Provided that such rules and regulations may include rules and regulations providing for the withholding from the retirement allowance due a retired person under the provisions of this act an amount requested in writing by the retiree for the purpose of paying:

(a) monthly premiums on group hospital and surgical insurance programs to which such retiree belongs, and for the transmitting of the sums so withheld to the insurance carrier designated by the retiree; and

(b) membership dues in any statewide association limited to retired educator membership with a minimum membership of one thousand (1,000) dues-paying members and for the transmitting of the sums so withheld.

(11) The Board of Trustees shall elect from its membership a chair, and by a majority vote of all of its members shall appoint a secretary-treasurer, who may be, but need not be, one of its members. The Board shall employ an executive director and shall engage such actuarial and other service as shall be required to transact the business of the retirement system. The compensation of all persons engaged by the Board and all other expenses of the Board necessary for the operation of the retirement system shall be paid at such rates and in such amounts as the Board shall approve.

(12) The members of the Board of Trustees, the Executive Director and the employees of the System shall not accept gifts or gratuities from an individual organization with a value in excess of Fifty Dollars ($50.00) per year. The provisions of this section shall not be construed to prevent the members of the Board of Trustees, the Executive Director or the employees of the System from attending educational seminars, conferences, meetings or similar functions which are paid for, directly or indirectly, by more than one organization.
(13) The Board of Trustees shall keep in convenient form such data as shall be necessary for actuarial valuation of the various funds of the retirement system and for checking the experience of the system.

(14) The Board of Trustees shall keep a record of all of its proceedings which shall be open to public inspection. It shall publish annually a report showing the fiscal transactions of the retirement system for the preceding school fiscal year, the amount of the accumulated cash and securities of the system, and the last balance sheet showing the financial condition of the system by means of an actuarial valuation of the assets and liabilities of the retirement system and a detailed accounting of its administrative expenses.

(15) The Board of Trustees shall retain an attorney who is licensed to practice law in this state. The attorney shall serve at the pleasure of the Board of Trustees for such compensation as may be provided by the Board of Trustees. The attorney shall advise the Board of Trustees and perform legal services for the Board of Trustees with respect to any matters properly before the Board of Trustees. When requested by the Board of Trustees, the Attorney General of the state also shall render legal services to the Board of Trustees. In addition to the above, the Board of Trustees may employ hearing examiners to conduct administrative grievance hearings under the provisions of the Administrative Procedures Act.

(16) Suitable offices shall be furnished by the Office of Management and Enterprise Services. Upon the failure or inability of the Office of Management and Enterprise Services to provide adequate facilities, the Board of Trustees may contract for necessary office space in suitable quarters.

(17) The Board of Trustees shall designate a Medical Board to be composed of three physicians not eligible to participate in the retirement system. The physicians so appointed by the Board of Trustees shall be legally qualified to practice medicine in Oklahoma or the state in which they reside and shall be physicians of good standing in the medical profession. The Board of Trustees may have more than one Medical Board and each Board shall have the same duties and authority under the statutes. If required, other physicians may be employed to report on special cases. The Medical Board shall pass upon all medical examinations required under the provisions of this act and shall investigate all essential statements and certificates by or on behalf of a member in
connection with an application for disability retirement and shall report in writing to the Board of Trustees its conclusion and recommendation upon all the matters referred to it. The Board of Trustees shall adopt such rules and regulations as may be necessary to properly administer this benefit.

(18) The Board of Trustees shall designate an actuary who shall be the technical advisor of the Board of Trustees on matters regarding the operation of funds created by the provisions of this act and shall perform such other duties as are required in connection therewith.

(19) At least once each five (5) years the actuary shall make an actuarial investigation of the experience of the retirement system, including the mortality, service and compensation experience of members and beneficiaries. Based on the results of such investigation the actuary shall recommend for adoption by the Board of Trustees such tables and rates as are required for the operation of the retirement system and for the preparation of annual actuarial valuations.

(20) On the basis of such tables and rates as the Board of Trustees shall adopt, the actuary shall prepare an annual actuarial valuation of the assets and liabilities of the retirement system and certify the rates of contribution payable by the state under the provisions of law concerning the Teachers' Retirement System.

SECTION 3. AMENDATORY 70 O.S. 2011, Section 17-106.1, as amended by Section 1, Chapter 312, O.S.L. 2012 (70 O.S. Supp. 2015, Section 17-106.1), is amended to read as follows:

Section 17-106.1 A. The Board of Trustees of the Teachers' Retirement System of Oklahoma shall discharge their duties with respect to the System solely in the interest of the participants and beneficiaries and:

1. For the exclusive purpose of:

   a. providing benefits to participants and their beneficiaries, and
   
   b. defraying reasonable expenses of administering the System;

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2. With the care, skill, prudence, and diligence under the circumstances then prevailing that a prudent person acting in a like capacity and familiar with such matters would use in the conduct of an enterprise of a like character and with like aims;

3. By diversifying the investments of the System so as to minimize the risk of large losses, unless under the circumstances it is clearly prudent not to do so; and

4. In accordance with the laws, documents and instruments governing the System.

B. The Board of Trustees of the Teachers' Retirement System of Oklahoma may invest the assets of the System in real property owned or to be acquired by the State of Oklahoma. It is further authorized to acquire, exchange, and grant any real property under its jurisdiction as is necessary to carry out the investment in the real property. The Board of Trustees of the Teachers' Retirement System of Oklahoma is authorized to invest not more than ten percent (10%) of the total value of assets of the System in connection with such investments. Limitations on investment of the assets of the System provided herein shall be determined as of the date of its making or acquisition.

C. The Board of Trustees may procure insurance indemnifying the members of the Board of Trustees from personal loss or accountability from liability resulting from a member's action or inaction as a member of the Board.

D. The Board of Trustees may establish an investment committee. The investment committee shall be composed of not more than five (5) members of the Board of Trustees appointed by the chairman of the Board of Trustees. The committee shall make recommendations to the full Board of Trustees on all matters related to the choice of custodians and managers of the assets of the System, on the establishment of investment and fund management guidelines, and in planning future investment policy. The committee shall have no authority to act on behalf of the Board of Trustees in any circumstances whatsoever. No recommendation of the committee shall have effect as an action of the Board of Trustees nor take effect without the approval of the Board of Trustees as provided by law.

E. The Board of Trustees may retain qualified investment managers to provide for the investment of the monies of the System. The investment managers shall be chosen by a solicitation of
proposals on a competitive bid basis pursuant to standards set by the Board of Trustees. Subject to the overall investment guidelines set by the Board of Trustees, the investment managers shall have full discretion in the management of those monies of the System allocated to the investment managers. The Board of Trustees shall manage those monies not specifically allocated to the investment managers. The monies of the System allocated to the investment managers shall be actively managed by the investment managers, which may include selling investments and realizing losses if such action is considered advantageous to longer term return maximization. Because of the total return objective, no distinction shall be made for management and performance evaluation purposes between realized and unrealized capital gains and losses.

F. Funds and revenues for investment by the investment managers or the Board of Trustees shall be placed with a custodian selected by the Board of Trustees. The custodian shall be a bank or trust company offering pension fund master trustee and master custodial services. The custodian shall be chosen by a solicitation of proposals on a competitive bid basis pursuant to standards set by the Board of Trustees. In compliance with the investment policy guidelines of the Board of Trustees, the custodian bank or trust company shall be contractually responsible for ensuring that all monies of the System are invested in income-producing investment vehicles at all times. If a custodian bank or trust company has not received direction from the investment managers of the System as to the investment of the monies of the System in specific investment vehicles, the custodian bank or trust company shall be contractually responsible to the Board of Trustees for investing the monies in appropriately collateralized short-term interest-bearing investment vehicles.

G. By November 1, 1988, and prior to August 1 of each year thereafter, the Board of Trustees shall develop a written investment plan for the System.

H. The Board of Trustees shall compile a quarterly financial report of all the funds of the System on a fiscal year basis. The report shall be compiled pursuant to uniform reporting standards prescribed by the Oklahoma State Pension Commission for all state retirement systems. The report shall include several relevant measures of investment value, including acquisition cost and current fair market value with appropriate summaries of total holdings and returns. The report shall contain combined and individual rate of returns of the investment managers by category of investment, over
periods of time. The Board of Trustees shall include in the quarterly reports all commissions, fees or payments for investment services performed on behalf of the Board. The report shall be distributed to the Governor, the Oklahoma State Pension Commission, the Legislative Service Bureau, the Speaker of the House of Representatives and the President Pro Tempore of the Senate. In lieu of compiling and distributing the quarterly report, the Board may provide the Oklahoma State Pension Commission with direct access to the same data from the custodian bank for the System.

I. After July 1 and before December 1 of each year, the Board of Trustees shall publish widely an annual report presented in simple and easily understood language pursuant to uniform reporting standards prescribed by the Oklahoma State Pension Commission for all state retirement systems. The report shall be submitted to the Governor, the Speaker of the House of Representatives, the President Pro Tempore of the Senate, the Oklahoma State Pension Commission and the members of the System. The annual report shall cover the operation of the System during the past fiscal year, including income, disbursements, and the financial condition of the System at the end of the fiscal year. The annual report shall also contain the information issued in the quarterly reports required pursuant to subsection H of this section as well as a summary of the results of the most recent actuarial valuation to include total assets, total liabilities, unfunded liability or over funded status, contributions and any other information deemed relevant by the Board of Trustees. The annual report shall be written in such a manner as to permit a readily understandable means for analyzing the financial condition and performance of the System for the fiscal year.

SECTION 4. AMENDATORY 70 O.S. 2011, Section 17-108.1, is amended to read as follows:

Section 17-108.1 A. 1. Except as provided in paragraph 2 of this subsection, the employer of any member of the Teachers' Retirement System of Oklahoma shall make the following contributions to the System:

a. beginning July 1, 1998, through June 30, 1999, eleven and one-half percent (11 1/2%) of the regular annual compensation of the member not in excess of any applicable maximum compensation level of the member,

b. beginning July 1, 1999, through June 30, 2000, four and eight-tenths percent (4.8%) of the regular annual
compensation of the member not in excess of any applicable maximum compensation level of the member,

c. beginning July 1, 2000, through June 30, 2001, five and eight-tenths percent (5.8%) of the regular annual compensation of the member not in excess of any applicable maximum compensation level of the member,

d. beginning July 1, 2001, through June 30, 2002, six and eight-tenths percent (6.8%) of the regular annual compensation of the member not in excess of any applicable maximum compensation level of the member,

e. beginning July 1, 2002, through December 31, 2006, seven and five-hundredths percent (7.05%) of the regular annual compensation of the member not in excess of any applicable maximum compensation level of the member,

f. beginning January 1, 2007, through June 30, 2007, seven and six-tenths percent (7.6%) of the regular annual compensation of the member not in excess of any applicable maximum compensation level of the member,

g. beginning July 1, 2007, through December 31, 2007, seven and eighty-five hundredths percent (7.85%) of the regular annual compensation of the member not in excess of any applicable maximum compensation level of the member,

h. beginning January 1, 2008, through June 30, 2008, eight and thirty-five hundredths percent (8.35%) of the regular annual compensation of the member not in excess of any applicable maximum compensation level of the member,

i. beginning July 1, 2008, through December 31, 2008, eight and five-tenths percent (8.5%) of the regular annual compensation of the member not in excess of any applicable maximum compensation level of the member,

j. beginning January 1, 2009, through December 31, 2009, nine percent (9%) of the regular annual compensation of the member not in excess of any applicable maximum compensation level of the member,
k. beginning January 1, 2010, through June 30, 2010, nine and five-tenths percent (9.5%) of the regular annual compensation of the member not in excess of any applicable maximum compensation level of the member, and

l. beginning July 1, 2010, through June 30, 2011, and for each fiscal year thereafter, nine and five-tenths percent (9.5%) of the regular annual compensation of the member not in excess of any applicable maximum compensation level of the member.

The employer contribution rate increase that would otherwise be effective, as provided by subparagraphs f, g, h, i, j, k and l of this paragraph, shall not become effective as law unless funding levels to each of the affected participating employers within the System are increased so that the additional employer contribution obligation is funded through an appropriation or transfer of monies instead of requiring the additional employer contribution to be paid for from existing budgetary resources of such participating employers. The participating employers shall use any monies specifically made available for purposes of making employer contributions for such purpose and to the extent of the funds made available for that purpose.

2. a. Beginning January 1, 2007, through December 31, 2007, a participating employer that employs an employee of a comprehensive university or a regional institution offering a four-year degree program as designated or authorized by the Oklahoma State Regents for Higher Education shall make contributions to the System with respect to such employees at the rate of seven and five-hundredths percent (7.05%) of the regular annual compensation of the member not in excess of any applicable maximum compensation level.

b. Beginning January 1, 2008, through December 31, 2008, a participating employer that employs an employee of a comprehensive university or a regional institution offering a four-year degree program as designated or authorized by the Oklahoma State Regents for Higher Education shall make contributions to the System with respect to such employees at the rate of seven and fifty-five hundredths percent (7.55%) of the regular
annual compensation of the member not in excess of any applicable maximum compensation level of the member.

c. Beginning January 1, 2009, through December 31, 2009, a participating employer that employs an employee of a comprehensive university or a regional institution offering a four-year degree program as designated or authorized by the Oklahoma State Regents for Higher Education shall make contributions to the System with respect to such employees at the rate of eight and five hundredths percent (8.05%) of the regular annual compensation of the member not in excess of any applicable maximum compensation level of the member.

d. Beginning January 1, 2010, through June 30, 2010, a participating employer that employs an employee of a comprehensive university or a regional institution offering a four-year degree program as designated or authorized by the Oklahoma State Regents for Higher Education shall make contributions to the System with respect to such employees at the rate of eight and fifty-five hundredths percent (8.55%) of the regular annual compensation of the member not in excess of any applicable maximum compensation level of the member.

e. Beginning July 1, 2010, through June 30, 2011, and for each fiscal year thereafter, a participating employer that employs an employee of a comprehensive university or a regional institution offering a four-year degree program as designated or authorized by the Oklahoma State Regents for Higher Education shall make contributions to the System with respect to such employees at the rate of eight and fifty-five hundredths percent (8.55%) of the regular annual compensation of the member not in excess of any applicable maximum compensation level of the member.

The employer contribution rate increase that would otherwise be effective as provided by subparagraphs b, c, d and e of this paragraph shall not become effective as law unless funding levels are increased so that the additional employer contribution obligation is funded through such an appropriation or transfer of monies instead of requiring the additional employer contribution to be paid for from existing budgetary resources of such participating employers. The participating employers shall use any monies
specifically made available for purposes of making employer contributions for such purpose and to the extent of the funds made available for that purpose.

3. Any employer contribution paid to the System pursuant to this subsection shall not be considered as salary, fringe benefit, or total compensation due to members for the purpose of meeting any legislative or contractual obligation of the employer.

B. For entities or institutions within The Oklahoma State System of Higher Education, the contributions to the System shall be made on regular annual compensation of a member who is an employee of such entity or institution not to exceed the maximum compensation level in effect for the member as prescribed by law.

C. Employers paying contributions to the System pursuant to subsection A or B of this section shall receive credit for that portion of the gross production tax on natural gas and/or casinghead gas apportioned to the System pursuant to subsection 2 of Section 1004 of Title 68 of the Oklahoma Statutes in meeting the total required employer contribution. On an annual basis, the Board of Trustees of the Teachers' Retirement System of Oklahoma shall estimate the net additional cost required to be paid by the contributing employers in order to meet the total employer contribution as provided in subsection A or B of this section. The Board of Trustees shall approve the amount of the additional contribution required to be paid by contributing employers as a percentage of total member salaries and fringe benefits for each fiscal year ending June 30, no later than April 1 of the previous fiscal year. In no event shall the additional contribution required to be paid by the contributing employer under this subsection be less than the contribution required under this subsection in the prior year. In the event actual contributions do not equal the required total contribution as provided in subsection A or B of this section, the net difference between the actual contributions and the required total contributions shall be determined and shall be included in the amount of the additional contribution required to be paid by contributing employers for the next fiscal year. All contributing employers shall pay the same percentage of total member salaries and fringe benefits during each fiscal year. The provisions of this subsection shall terminate June 30, 1999.

D. Any school district, state college or university, State Board of Education, State Board of Career and Technology Education, or other state agency may, for and on behalf of any member of the
System, pay all or any portion of the contribution required by Section 17-108 of this title. Provided, the contribution so paid by any school district, state college or university, State Board of Education, State Board of Career and Technology Education, or other state agency shall be and remain subject to the withdrawal provisions set forth under the System. Wherever the term "contribution" is used, it shall be deemed to include contributions paid for and on behalf of a member by a school district, state college or university, State Board of Education, State Board of Career and Technology Education, or other state agency.

E. All participating employers shall provide a complete record of the total compensation paid to each employee, including any person who is a retired member of the System, whether or not employer and employee contributions are made with respect to such compensation. The employer shall provide the report required by this subsection on a monthly basis on a form or using such method as the Teachers' Retirement System of Oklahoma may require and shall provide a comprehensive annual report showing the correct compensation, service credit and contributions for the prior fiscal year. Each participating employer shall provide reasonable access to its payroll records, records of contribution payments to the System and all other records relevant to the participation of its employees in the System, to the System, its employees or authorized agents. A participating employer shall cooperate with auditors retained by the System to audit its financial statements or otherwise audit the financial operations of the System.

SECTION 5. AMENDATORY 70 O.S. 2011, Section 17-120, is amended to read as follows:

Section 17-120. The employer of each member shall submit all required school reports and all employer and employee contributions of each member due the Retirement System for payroll periods ending during the calendar month within ten (10) days of the last day of each calendar month. Any required school reports and employer and employee contribution amounts not submitted to the Retirement System after thirty (30) days from the end of the payroll month shall be subject to a monthly late charge of one and one-half percent (1 1/2%) of the unpaid balance to be paid by the employer to the Retirement System compounding monthly for each month payment is not received. The Board may waive late fees for good cause shown.

SECTION 6. This act shall become effective November 1, 2016.
Passed the House of Representatives the 10th day of February, 2016.

Presiding Officer of the House of Representatives

Passed the Senate the 14th day of April, 2016.

Presiding Officer of the Senate

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this 18th day of April, 2016, at 3:10 o'clock P.M.

By: Audrey Rockwell

Approved by the Governor of the State of Oklahoma this 21st day of April, 2016, at 9:43 o'clock A.M.

Mary Fallin
Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this 21st day of April, 2016, at 11:13 o'clock A.M.

By: Che Busse

ENR. H. B. NO. 2263 Page 29
January 11, 2016

Representative Randy McDaniel
Room 438

Re: RBH No. 7977

RBH No. 7977 contains rule changes to make Oklahoma Teachers Retirement System easier to administrate. It also requires the Employers to make certain information available concerning compensation and service to the System. It also requires the system to cooperate with the System's auditor.

RBH No. 7977 is a non fiscal retirement bill as defined by the Oklahoma Pension Legislation Analysis Act.

Thomas E. Cummins

Thomas E. Cummins, MAAA
An Act

ENROLLED HOUSE
BILL NO. 2281       By: Murphey and Ritze of the
                    House

and

Dahm of the Senate

An Act relating to open records; amending 51 O.S.
2011, Section 24A.5, as amended by Section 1, Chapter
370, O.S.L. 2015 (51 O.S. Supp. 2015, Section 24A.5),
which relates to the inspection and copying of public
records; providing that public body which makes the
requested records available on the Internet shall
meet obligation of providing prompt, reasonable
access to its records; and providing an effective
date.

SUBJECT: The Oklahoma Open Records Act

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 51 O.S. 2011, Section 24A.5, as
amended by Section 1, Chapter 370, O.S.L. 2015 (51 O.S. Supp. 2015,
Section 24A.5), is amended to read as follows:

Section 24A.5 All records of public bodies and public officials
shall be open to any person for inspection, copying, or mechanical
reproduction during regular business hours; provided:

1. The Oklahoma Open Records Act, Sections 24A.1 through 24A.30
of this title, does not apply to records specifically required by
law to be kept confidential including:

   a. records protected by a state evidentiary privilege
      such as the attorney-client privilege, the work
      product immunity from discovery and the identity of
      informer privileges,
b. records of what transpired during meetings of a public body lawfully closed to the public such as executive sessions authorized under the Oklahoma Open Meeting Act,

c. personal information within driver records as defined by the Driver's Privacy Protection Act, 18 United States Code, Sections 2721 through 2725,

d. information in the files of the Board of Medicolegal Investigations obtained pursuant to Sections 940 and 941 of Title 63 of the Oklahoma Statutes that may be hearsay, preliminary unsubstantiated investigation-related findings, or confidential medical information, or

e. any test forms, question banks and answer keys developed for state licensure examinations, but specifically excluding test preparation materials or study guides;

2. Any reasonably segregable portion of a record containing exempt material shall be provided after deletion of the exempt portions; provided however, the Department of Public Safety shall not be required to assemble for the requesting person specific information, in any format, from driving records relating to any person whose name and date of birth or whose driver license number is not furnished by the requesting person.

The Oklahoma State Bureau of Investigation shall not be required to assemble for the requesting person any criminal history records relating to persons whose names, dates of birth, and other identifying information required by the Oklahoma State Bureau of Investigation pursuant to administrative rule are not furnished by the requesting person;

3. Any request for a record which contains individual records of persons, and the cost of copying, reproducing or certifying each individual record is otherwise prescribed by state law, the cost may be assessed for each individual record, or portion thereof requested as prescribed by state law. Otherwise, a public body may charge a fee only for recovery of the reasonable, direct costs of record copying, or mechanical reproduction. Notwithstanding any state or local provision to the contrary, in no instance shall the record
copying fee exceed twenty-five cents ($0.25) per page for records having the dimensions of eight and one-half (8 1/2) by fourteen (14) inches or smaller, or a maximum of One Dollar ($1.00) per copied page for a certified copy. However, if the request:

a. is solely for commercial purpose, or

b. would clearly cause excessive disruption of the essential functions of the public body,

then the public body may charge a reasonable fee to recover the direct cost of record search and copying; however, publication in a newspaper or broadcast by news media for news purposes shall not constitute a resale or use of a record for trade or commercial purpose and charges for providing copies of electronic data to the news media for a news purpose shall not exceed the direct cost of making the copy. The fee charged by the Department of Public Safety for a copy in a computerized format of a record of the Department shall not exceed the direct cost of making the copy unless the fee for the record is otherwise set by law.

Any public body establishing fees under this act shall post a written schedule of the fees at its principal office and with the county clerk.

In no case shall a search fee be charged when the release of records is in the public interest, including, but not limited to, release to the news media, scholars, authors and taxpayers seeking to determine whether those entrusted with the affairs of the government are honestly, faithfully, and competently performing their duties as public servants.

The fees shall not be used for the purpose of discouraging requests for information or as obstacles to disclosure of requested information;

4. The land description tract index of all recorded instruments concerning real property required to be kept by the county clerk of any county shall be available for inspection or copying in accordance with the provisions of the Oklahoma Open Records Act; provided, however, the index shall not be copied or mechanically reproduced for the purpose of sale of the information;

5. A public body must provide prompt, reasonable access to its records but may establish reasonable procedures which protect the
integrity and organization of its records and to prevent excessive disruptions of its essential functions. Any public body which makes the requested records available on the Internet shall meet the obligation of providing prompt, reasonable access to its records as required by this paragraph; and

6. A public body shall designate certain persons who are authorized to release records of the public body for inspection, copying, or mechanical reproduction. At least one person shall be available at all times to release records during the regular business hours of the public body.

SECTION 2. This act shall become effective November 1, 2016.
Passed the House of Representatives the 29th day of February, 2016.

[Signature]
Presiding Officer of the House of Representatives

Passed the Senate the 7th day of April, 2016.

[Signature]
Presiding Officer of the Senate

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this 11th day of April, 2016, at 3:05 o'clock P.M.

By: [Signature]

Approved by the Governor of the State of Oklahoma this 14th day of April, 2016, at 3:20 o'clock P.M.

[Signature]
Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this 14th day of April, 2016, at 3:44 o'clock P.M.

By: [Signature]
An Act relating to motor vehicles; creating the Safe Driving Act; amending 47 O.S. 2011, Section 6-105, as last amended by Section 1, Chapter 102, O.S.L. 2015 (47 O.S. Supp. 2015, Section 6-105), which relates to graduated Class D driver licenses; requiring driver education courses to include certain education components; providing for noncodification; and providing an effective date.

SUBJECT: Safe Driving Act

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. NEW LAW A new section of law not to be codified in the Oklahoma Statutes reads as follows:

This act shall be known and may be cited as the "Safe Driving Act".

SECTION 2. AMENDATORY 47 O.S. 2011, Section 6-105, as last amended by Section 1, Chapter 102, O.S.L. 2015 (47 O.S. Supp. 2015, Section 6-105), is amended to read as follows:

Section 6-105. A. Unless a legal custodial parent or legal guardian has filed an objection to licensure pursuant to Section 6-103.1 of this title, any person under eighteen (18) years of age who is in compliance with or not subject to Section 6-107.3 of this title may be permitted to operate:
1. A Class D motor vehicle under the graduated driver license provisions prescribed in subsections B through E of this section;

2. A motorcycle under the provisions prescribed in subsection H of this section; or

3. A farm vehicle under the provisions prescribed in subsection I of this section.

B. Any person who is at least fifteen (15) years of age may drive during a session in which the driver is being instructed in a driver education course, as set out in subparagraphs a, b, c and d and e of paragraph 1 of subsection C of this section, by a certified driver education instructor who is seated in the right front seat of the motor vehicle.

C. Any person:

1. Who is at least fifteen and one-half (15 1/2) years of age and is currently receiving instruction in or has successfully completed driver education. For purposes of this section, the term "driver education" shall mean:

   a. a prescribed secondary school driver education course, as provided for in Sections 19-113 through 19-121 of Title 70 of the Oklahoma Statutes,

   b. a driver education course, certified by the Department of Public Safety, from a parochial, private, or other nonpublic secondary school,

   c. a commercial driver training course, as defined by Sections 801 through 808 of this title,

   d. a parent-taught driver education course, certified by the Department of Public Safety. The Department shall promulgate rules for any parent-taught driver education course, or

   e. a driver education course certified by a state other than Oklahoma; or

2. Who is at least sixteen (16) years of age,
may, upon successfully passing all parts of the driver license examination administered by the Department except the driving examination, be issued a learner permit which will grant the permittee the privilege to operate a Class D motor vehicle upon the public highways only between the hours of 5:00 a.m. and 10:00 p.m. and while accompanied by a licensed driver who is at least twenty-one (21) years of age and who is actually occupying a seat beside the permittee; provided, the written examination for a learner permit may be waived by the Department of Public Safety upon verification that the person has successfully completed driver education.

D. 1. Any person:

a. who has applied for, been issued, and has possessed a learner permit for a minimum of six (6) months, and

b. whose custodial legal parent or legal guardian certifies to the Department by sworn affidavit that the person has received a minimum of fifty (50) hours of actual behind-the-wheel training, of which at least ten (10) hours of such training was at night, from a licensed driver who was at least twenty-one (21) years of age and who was properly licensed to operate a Class D motor vehicle for a minimum of two (2) years,

may be issued an intermediate Class D license upon successfully passing all parts of the driver license examinations administered by the Department; provided, the written examination, if it has not previously been administered or waived, may be waived by the Department upon verification that the person has successfully completed driver education or the driving examination may be waived by the Department upon successful passage of the examination administered by a certified designated examiner, as provided for in Section 6-110 of this title. However, notwithstanding the date of issuance of the learner permit, if the person has been convicted of a traffic offense which is reported on the driving record of that person, the time period specified in subparagraph a of this paragraph shall be recalculated to begin from the date of conviction for the traffic offense, and must elapse before that person may be issued an intermediate Class D license. If the person has been convicted of more than one traffic offense which is reported on the driving record of that person, the time period specified in subparagraph a of this paragraph shall be recalculated to begin from
the most recent date of conviction, and must elapse before that person may be issued an intermediate Class D license.

2. A person who has been issued an intermediate Class D license under the provisions of this subsection:

   a. shall be granted the privilege to operate a Class D motor vehicle upon the public highways:

      (1) only between the hours of 5:00 a.m. and 10:00 p.m., except for driving to and from work, school, school activities, and church activities, or

      (2) at any time, if a licensed driver who is at least twenty-one (21) years of age is actually occupying a seat beside the intermediate Class D licensee, or if the intermediate Class D licensee is a farm or ranch resident, and is operating a motor vehicle while engaged in farming or ranching operations outside the limits of a municipality, or driving to and from work, school, school activities, or church activities, and

   b. shall not operate a motor vehicle with more than one passenger unless:

      (1) all passengers live in the same household as the custodial legal parent or legal guardian, or

      (2) a licensed driver at least twenty-one (21) years of age is actually occupying a seat beside the intermediate Class D licensee.

E. Any person who has been issued an intermediate Class D license for a minimum of:

1. One (1) year; or

2. Six (6) months, if the person has completed both the driver education and the parent-certified behind-the-wheel training provisions of subparagraph b of paragraph 1 of subsection D of this section.
may be issued a Class D license. However, notwithstanding the date of issuance of the Class D license, if the person has been convicted of a traffic offense which is reported on the driving record of that person, the time periods specified in paragraph 1 or 2 of this subsection, as applicable, shall be recalcualted to begin from the date of conviction for the traffic offense, and must elapse before that person may be issued a Class D license. If the person has been convicted of more than one traffic offense which is reported on the driving record of that person, the time periods specified in paragraph 1 or 2 of this subsection, as applicable, shall be recalculated to begin from the most recent date of conviction, and must elapse before that person may be issued a Class D license.

F. Learner permits and intermediate Class D licenses shall be issued for the same period as all other driver licenses. The licenses may be suspended or canceled at the discretion of the Department for violation of restrictions, for failing to give the required or correct information on the application, for knowingly giving false or inaccurate information on the application or any subsequent documentation related to the granting of driving privileges, for using a hand-held electronic device while operating a motor vehicle for non-life-threatening emergency purposes or for violation of any traffic laws of this state pertaining to the operation of a motor vehicle.

G. The Department of Public Safety shall promulgate rules establishing procedures for removal of learner permit and intermediate Class D license restrictions from the permit or license upon the permittee or licensee qualifying for a less restricted or an unrestricted license.

H. Any person fourteen (14) years of age or older may apply for a restricted Class D license with a motorcycle-only restriction. After the person has successfully passed all parts of the motorcycle examination other than the driving examination and has met all requirements provided for in the rules of the Department, the Department shall issue to the person a restricted Class D license with a motorcycle-only restriction which shall grant to the person, while having the license in the person's immediate possession, the privilege to operate a motorcycle or motor-driven cycle:

1. With a piston displacement not to exceed three hundred (300) cubic centimeters;

2. Between the hours of 4:30 a.m. to 9:00 p.m. only;
3. While wearing approved protective headgear; and

4. While accompanied by and receiving instruction from any person who is at least twenty-one (21) years of age and who is properly licensed pursuant to the laws of this state to operate a motorcycle or motor-driven cycle, and who has visual contact with the restricted licensee.

The restricted licensee may apply on or after thirty (30) days from date of issuance of the restricted Class D license with a motorcycle-only restriction to have the restriction of being accompanied by a licensed driver removed by successfully completing the driving portion of an examination.

The written examination and driving examination for a restricted Class D license with a motorcycle-only endorsement may be waived by the Department of Public Safety upon verification that the person has successfully completed a certified Motorcycle Safety Foundation rider course approved by the Department.

I. The Department may in its discretion issue a special permit to any person who has attained the age of fourteen (14) years, authorizing such person to operate farm vehicles between the farm and the market to haul commodities grown on the farm; provided, that the special permit shall be temporary and shall expire not more than thirty (30) days after the issuance of the special permit. Special permits shall be issued only to farm residents and shall be issued only during the time of the harvest of the principal crops grown on such farm. Provided, however, the Department shall not issue a special permit pursuant to this subsection until the Department is fully satisfied after the examination of the application and other evidence furnished in support thereof, that the person is physically and mentally developed to such a degree that the operation of a motor vehicle by the person would not be inimical to public safety.

J. As used in this section:

1. "Hand-held electronic device" means a mobile telephone or electronic device with which a user engages in a telephone call, plays or stores media, including but not limited to music and video, or sends or reads a text message while requiring the use of at least one hand; and
2. "Using a hand-held electronic device" means engaging any function on an electronic device.

K. All driver education courses provided for in paragraph 1 of subsection C of this section shall include education regarding the dangers of texting while driving and the effects of being under the influence of alcohol or other intoxicating substance while driving.

SECTION 3. This act shall become effective November 1, 2016.
Passed the House of Representatives the 29th day of February, 2016.

[Signature]
Presiding Officer of the House of Representatives

Passed the Senate the 12th day of April, 2016.

[Signature]
Presiding Officer of the Senate

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this 13th day of April, 2016, at 4:10 o'clock P.M.

By: [Signature]

Approved by the Governor of the State of Oklahoma this 19th day of April, 2016, at 3:11 o'clock P.M.

[Signature]
Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this 19th day of April, 2016, at 4:05 o'clock P.M.

By: [Signature]
An Act relating to schools; amending 70 O.S. 2011, Section 5-190, which relates to instruction and continuing education of school district treasurers and encumbrance clerks; authorizing instruction completed within certain period prior to employment to count toward certain requirement; and declaring an emergency.

SUBJECT: Instruction and continuing education for certain school district personnel

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 70 O.S. 2011, Section 5-190, is amended to read as follows:

Section 5-190. A. Before July 1, 2007, every school district treasurer shall complete at least twelve (12) hours of instruction on school finance laws of this state, accounting, ethics, and the duties and responsibilities of a school district treasurer.

B. Before July 1, 2007, every school district encumbrance clerk shall complete at least twelve (12) hours of instruction on school finance laws of this state, accounting, ethics, and the duties and responsibilities of a school district encumbrance clerk.

C. Every Except as otherwise provided for, every school district treasurer and encumbrance clerk employed after July 1, 2007, shall be required, within nine (9) months after employment in the position by a school district, to complete the instruction
required pursuant to subsections A and B of this section. Any instruction as described in subsections A and B of this section completed by the school district treasurer or encumbrance clerk within three (3) years prior to employment in the position by the school district shall count toward satisfying the requirements of this subsection.

D. Every school district treasurer and encumbrance clerk shall be required to complete a minimum of twelve (12) hours of continuing education every three (3) years, in addition to the requirements of subsections A and B of this section.

E. The requirements of this section shall not apply to any county treasurer who also acts as a school district treasurer; however, nothing herein shall prevent a county treasurer from attending such training or continuing education.

SECTION 2. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.
Passed the House of Representatives the 16th day of February, 2016.

Presiding Officer of the House of Representatives

Passed the Senate the 4th day of April, 2016.

Presiding Officer of the Senate

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this 5th day of April, 2016, at 11:14 o'clock A.M. By: Audrey Pickwell

Approved by the Governor of the State of Oklahoma this 11th day of April, 2016, at 4:27 o'clock P.M.

Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this 11th day of April, 2016, at 5:05 o'clock P.M. By: Chris Benge

ENR. H. B. NO. 2315
An Act

ENROLLED HOUSE
BILL NO. 2371
By: Coody (Ann) of the House
and
Barrington of the Senate

An Act relating to schools; amending 70 O.S. 2011, Section 6-182, as last amended by Section 9, Chapter 124, O.S.L. 2014 (70 O.S. Supp. 2015, Section 6-182), which relates to the Oklahoma Teacher Preparation Act definitions; modifying definition of a mentor teacher; providing an effective date; and declaring an emergency.

SUBJECT: Oklahoma Teacher Preparation Act

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 70 O.S. 2011, Section 6-182, as last amended by Section 9, Chapter 124, O.S.L. 2014 (70 O.S. Supp. 2015, Section 6-182), is amended to read as follows:

Section 6-182. As used in the Oklahoma Teacher Preparation Act:

1. "Board" means the State Board of Education;

2. "Commission" means the Commission for Educational Quality and Accountability;

3. "State Regents" means the Oklahoma State Regents for Higher Education;

4. "Professional development program" means the program mandated by the Oklahoma Teacher Preparation Act for the continuous improvement and enrichment of the certified and licensed teachers of this state;
5. "Teacher education professional development committee" means the committee created in Section 6-186 of this title for the continuous improvement and enrichment of higher education faculty in teacher education programs in institutions of higher education;

6. "Department" means the State Department of Education;

7. "Residency committee" means a committee in a school district for the purpose of providing professional support, mentorship and coaching to the resident teacher. A residency committee may consist of one or more mentor teachers, the principal or an assistant principal of the employing school, one or more administrators designated by the school district board of education, a teacher educator in a college or school of education of an institution of higher education or an educator in a department or school outside the institution's teacher education unit. If possible, qualified mentor teachers shall have expertise in the teaching field of the resident teacher and, if possible, the higher education members of the residency committee shall have expertise and experience in the teaching field of the resident teacher. However, in all cases, at least one member of the residency committee shall have expertise and experience in the teaching field of the resident teacher;

8. "Teacher" means a person defined as a teacher in Section 1-116 of this title;

9. "Resident teacher" means any certified teacher who is employed in an accredited school to serve as a teacher and the school district has elected to place under the guidance and assistance of a mentor teacher and residency committee. The resident teacher shall have completed the program of the college or school of education of the accredited institution of higher education from which the person has been graduated, and shall have successfully completed the competency examination in areas of approval in which the resident teacher seeks certification;

10. "Certified teacher" means any teacher who has been issued a certificate by the Board in accordance with the Oklahoma Teacher Preparation Act and the rules of the Board;

11. "Mentor teacher" means any teacher holding a standard certificate who is employed in a school district to serve as a teacher and who has been appointed to provide guidance, support, coaching and assistance to a resident teacher employed by the school
district. A mentor teacher shall be a current or former classroom teacher and have a minimum of two (2) years of classroom teaching experience as a certified teacher.

A mentor teacher shall be selected by the principal from a list of qualified teacher volunteers who have submitted their names for that purpose. After compilation of the list, the principal shall provide opportunity for input from the bargaining agent, where one exists. Membership or nonmembership in a professional teacher organization shall not be considered as a factor in selecting a mentor teacher. When possible, a mentor teacher shall have successfully completed a mentor teacher professional development institute and be assigned to the same school site and have similar certification as the resident teacher;

12. "Higher education faculty" means any individual who is employed in a teaching capacity in an institution of higher education, approved or accredited by the Commission for the preparation of education personnel; and

13. "Competency examination" means the assessment required in the Oklahoma Teacher Preparation Act for certification as a teacher and shall consist of tests over general education, professional education and subject areas as defined by the Commission for Educational Quality and Accountability.

SECTION 2. This act shall become effective July 1, 2016.

SECTION 3. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.
Passed the House of Representatives the 17th day of February, 2016.

[Signature]
Presiding Officer of the House of Representatives

Passed the Senate the 13th day of April, 2016.

[Signature]
Presiding Officer of the Senate

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this 14th day of April, 2016, at 1:59 o'clock P.M.

By: [Signature]
Audrey Reckert

Approved by the Governor of the State of Oklahoma this 20th day of April, 2016, at 4:05 o'clock P.M.

[Signature]
Mary Fallin
Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this ________ day of _______, 20____, at _____ o'clock _____ M.

By: [Signature]

ENR. H. B. NO. 2371   Page 4
An Act relating to schools; amending 70 O.S. 2011, Section 1-114, which relates to free attendance at public schools for children of certain age; requiring State Board of Education to promulgate certain rules; and providing an effective date.

SUBJECT: Free attendance at public schools

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 70 O.S. 2011, Section 1-114, is amended to read as follows:

Section 1-114. A. All children between the ages of five (5) years on or before September 1, and twenty-one (21) years on or before September 1, shall be entitled to attend school free of charge in the district in which they reside.

B. All children who are at least four (4) years of age but not more than five (5) years of age on or before September 1 and who have not attended a public school kindergarten shall be entitled to attend half-day or full-day early childhood programs at any public school in the state where such programs are offered; provided, no child shall be required to attend any early childhood education program. The following paragraphs shall govern early childhood programs:

1. Children who are at least four (4) years of age but not more than five (5) years of age on or before September 1 shall be entitled to attend either half-day or full-day early childhood
programs in their district of residence free of charge as long as
the district has the physical facilities and teaching personnel to
accommodate the child. For purposes of calculation of State Aid,
children in an early childhood education program shall be included
in the average daily membership of the district providing the
program.

2. A child who has not reached the age of five (5) years on or
before September 1 and who resides in a district which does not
offer an early childhood program shall be eligible for transfer to a
district where an early childhood program is offered if the district
that offers the early childhood program agrees to the transfer. A
district offering early childhood programs may refuse to accept a
nonresident child if the district does not have the physical
facilities or teaching personnel to accommodate the child in an
early childhood education class. If the child requesting the
transfer has not reached the age of four (4) years on or before
September 1, the district may refuse to accept the nonresident child
if the district determines the child is not ready for an early
childhood program. Children who are accepted in a program outside
their district of residence as provided in this paragraph shall be
included in the average daily membership of the district providing
the program for State Aid funding subject to the State Aid formula
weight limitations set forth in paragraph 1 of this subsection; and

3. The State Board of Education shall promulgate rules that
create exemptions relating to the maximum age at which a child may
attend half-day or full-day early childhood programs.

C. No child shall be enrolled in kindergarten unless he or she
will have reached the age of five (5) years on or before September 1
of the school year. No child shall be enrolled in the first grade
unless he or she will have reached the age of six (6) years on or
before September 1 of the school year.

D. No nonresident and nontransferred pupil shall be allowed to
attend school in any school district unless a tuition fee equal to
the per capita cost of education for a similar period in such
district during the preceding year has been paid to the receiving
district in advance yearly or by semester as determined by the
district board of education of the receiving district. If the State
Board of Education discovers that such attendance has been allowed
without prior payment of the tuition fee in advance as required, no
further payment of any State Aid Funds shall be made to the district
until such district has shown to the satisfaction of the State Board

ENR. H. B. NO. 2404
of Education that all such tuition fees have been paid or that such tuition pupil will no longer be allowed to attend school until the required tuition fee has been paid.

E. Any parent, guardian, person or institution having care and custody of a child who pays ad valorem tax on real property in any other school district other than that in which that person resides may, with the approval of the receiving board, enroll the child in any school district in which ad valorem tax is paid and receive a credit on the nonresident tuition fee equal to the amount of the ad valorem tax paid for school district purposes in the school district in which the child is enrolled. Provided, the credit shall not exceed the total amount required for the tuition payment.

SECTION 2. This act shall become effective November 1, 2016.
Passed the House of Representatives the 24th day of February, 2016.

[Signature]
Presiding Officer of the House of Representatives

Passed the Senate the 30th day of March, 2016.

[Signature]
Presiding Officer of the Senate

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this 31st day of March, 2016, at 11:21 o'clock A.M.

By: [Signature]

Approved by the Governor of the State of Oklahoma this 5th day of April, 2016, at 4:54 o'clock P.M.

[Signature]
Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this 5th day of April, 2016, at 5:16 o'clock P.M.

By: [Signature]
An Act

ENROLLED HOUSE
BILL NO. 2432

By: Kern and Ritze of the House
and
Shaw of the Senate

An Act relating to schools; requiring public schools to post a sign containing certain child abuse toll-free telephone number information; directing the State Board of Education to promulgate rules; providing for codification; providing an effective date; and declaring an emergency.

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

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 1210.162 of Title 70, unless there is created a duplication in numbering, reads as follows:

A. Each public school shall post in a clearly visible location in a public area of the school that is readily accessible to students a sign in English and Spanish that contains the toll-free telephone number operated by the Department of Human Services pursuant to Section 1-2-101 of Title 10A of the Oklahoma Statutes to receive reports of child abuse or neglect.

B. The State Board of Education shall promulgate rules relating to the size and location of the sign required by subsection A of this section.

SECTION 2. This act shall become effective July 1, 2016.
SECTION 3. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.
Passed the House of Representatives the 29th day of February, 2016.

[Signature]
Presiding Officer of the House of Representatives

Passed the Senate the 5th day of April, 2016.

[Signature]
Presiding Officer of the Senate

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this 16th day of April, 2016, at 2:25 o'clock P.M.

By: [Signature] Audrey Rockwell

Approved by the Governor of the State of Oklahoma this 11th day of April, 2016, at 4:38 o'clock P.M.

[Signature] Mary Fallin
Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this 11th day of April, 2016, at 5:05 o'clock P.M.

By: [Signature] C. Benge

ENR. H. B. NO. 2432
An Act

ENROLLED HOUSE
BILL NO. 2510

By: Billy of the House

and

Paddack and Pittman of the Senate

An Act relating to open records; amending 51 O.S. 2011, Section 24A.5, as last amended by Section 1 of Enrolled House Bill No. 2281 of the 2nd Session of the 55th Oklahoma Legislature, which relates to the inspection and copying of records of public bodies and public officials; permitting Social Security numbers in public records to be confidential and redacted or deleted prior to release of record; and providing an effective date.

SUBJECT: The Oklahoma Open Records Act

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 51 O.S. 2011, Section 24A.5, as last amended by Section 1 of Enrolled House Bill No. 2281 of the 2nd Session of the 55th Oklahoma Legislature, is amended to read as follows:

Section 24A.5 All records of public bodies and public officials shall be open to any person for inspection, copying, or mechanical reproduction during regular business hours; provided:

1. The Oklahoma Open Records Act, Sections 24A.1 through 24A.30 of this title, does not apply to records specifically required by law to be kept confidential including:

   a. records protected by a state evidentiary privilege such as the attorney-client privilege, the work
product immunity from discovery and the identity of informer privileges,

b. records of what transpired during meetings of a public body lawfully closed to the public such as executive sessions authorized under the Oklahoma Open Meeting Act,

c. personal information within driver records as defined by the Driver's Privacy Protection Act, 18 United States Code, Sections 2721 through 2725,

d. information in the files of the Board of Medicolegal Investigations obtained pursuant to Sections 940 and 941 of Title 63 of the Oklahoma Statutes that may be hearsay, preliminary unsubstantiated investigation-related findings, or confidential medical information, or

e. any test forms, question banks and answer keys developed for state licensure examinations, but specifically excluding test preparation materials or study guides;

2. All Social Security numbers included in a record may be confidential regardless of the person's status as a public employee or private individual and may be redacted or deleted prior to release of the record by the public body;

3. Any reasonably segregable portion of a record containing exempt material shall be provided after deletion of the exempt portions; provided however, the Department of Public Safety shall not be required to assemble for the requesting person specific information, in any format, from driving records relating to any person whose name and date of birth or whose driver license number is not furnished by the requesting person.

The Oklahoma State Bureau of Investigation shall not be required to assemble for the requesting person any criminal history records relating to persons whose names, dates of birth, and other identifying information required by the Oklahoma State Bureau of Investigation pursuant to administrative rule are not furnished by the requesting person;
3-4. Any request for a record which contains individual records of persons, and the cost of copying, reproducing or certifying each individual record is otherwise prescribed by state law, the cost may be assessed for each individual record, or portion thereof requested as prescribed by state law. Otherwise, a public body may charge a fee only for recovery of the reasonable, direct costs of record copying, or mechanical reproduction. Notwithstanding any state or local provision to the contrary, in no instance shall the record copying fee exceed twenty-five cents ($0.25) per page for records having the dimensions of eight and one-half (8 1/2) by fourteen (14) inches or smaller, or a maximum of One Dollar ($1.00) per copied page for a certified copy. However, if the request:

a. is solely for commercial purpose, or

b. would clearly cause excessive disruption of the essential functions of the public body,

then the public body may charge a reasonable fee to recover the direct cost of record search and copying; however, publication in a newspaper or broadcast by news media for news purposes shall not constitute a resale or use of a record for trade or commercial purpose and charges for providing copies of electronic data to the news media for a news purpose shall not exceed the direct cost of making the copy. The fee charged by the Department of Public Safety for a copy in a computerized format of a record of the Department shall not exceed the direct cost of making the copy unless the fee for the record is otherwise set by law.

Any public body establishing fees under this act shall post a written schedule of the fees at its principal office and with the county clerk.

In no case shall a search fee be charged when the release of records is in the public interest, including, but not limited to, release to the news media, scholars, authors and taxpayers seeking to determine whether those entrusted with the affairs of the government are honestly, faithfully, and competently performing their duties as public servants.

The fees shall not be used for the purpose of discouraging requests for information or as obstacles to disclosure of requested information;
4-5. The land description tract index of all recorded instruments concerning real property required to be kept by the county clerk of any county shall be available for inspection or copying in accordance with the provisions of the Oklahoma Open Records Act; provided, however, the index shall not be copied or mechanically reproduced for the purpose of sale of the information;

4-6. A public body must provide prompt, reasonable access to its records but may establish reasonable procedures which protect the integrity and organization of its records and to prevent excessive disruptions of its essential functions. Any public body which makes the requested records available on the Internet shall meet the obligation of providing prompt, reasonable access to its records as required by this paragraph; and

4-7. A public body shall designate certain persons who are authorized to release records of the public body for inspection, copying, or mechanical reproduction. At least one person shall be available at all times to release records during the regular business hours of the public body.

SECTION 2. This act shall become effective November 1, 2016.
Passed the House of Representatives the 3rd day of March, 2016.

[Signature]
Presiding Officer of the House of Representatives

Passed the Senate the 20th day of April, 2016.

[Signature]
Presiding Officer of the Senate

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this 21st day of April, 2016, at 4:49 o'clock P.M.
By: [Signature]

Approved by the Governor of the State of Oklahoma this 26th day of April, 2016, at 2:08 o'clock P.M.

[Signature]
Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this 26th day of April, 2016, at 3:24 o'clock P.M.
By: [Signature]

ENR. H. B. NO. 2510
An Act

ENROLLED HOUSE
BILL NO. 2518

By: Grau, Scott and Sherrer of the House

and

Dahm of the Senate

An Act relating to definitions and general provisions; amending Section 4, Chapter 238, O.S.L. 2014 (25 O.S. Supp. 2015, Section 2004), which relates to written consent required prior to medical treatment of minors; providing for exception if emergency exists and surgery is necessary for treatment of illness; providing for exception if emergency exists, surgery is necessary and effort has been made to contact other adult authorized by law to consent on behalf of minor; and providing an effective date.

SUBJECT: Parents' Bill of Rights

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY Section 4, Chapter 238, O.S.L. 2014 (25 O.S. Supp. 2015, Section 2004), is amended to read as follows:

Section 2004. A. Except as otherwise provided by law, no person, corporation, association, organization, state-supported institution, or individual employed by any of these entities may procure, solicit to perform, arrange for the performance of, perform surgical procedures, or perform a physical examination upon a minor or prescribe any prescription drugs to a minor without first obtaining a written consent of a parent or legal guardian of the minor.
B. No Except as otherwise provided by law, no hospital as defined in Section 1-701 of Title 63 of the Oklahoma Statutes may permit surgical procedures to be performed upon a minor in its facilities without first having received a written consent from a parent or legal guardian of the minor.

C. The provisions of this section shall not apply when it has been determined by a physician that an emergency exists and that it is necessary to perform such surgical procedures for the treatment of an injury, illness or drug abuse, or to save the life of the patient, or when such parent or legal guardian or other adult authorized by law to consent on behalf of a minor cannot be located or contacted after a reasonably diligent effort.

D. The provisions of this section shall not apply to an abortion, which shall be governed by the provisions of Sections 1-740 through 1-740.6 and Sections 1-744 through 1-744.6 of Title 63 of the Oklahoma Statutes or any successor statute.

E. A person who violates a provision of this section is guilty of a misdemeanor, punishable by a fine of not more than One Thousand Dollars ($1,000.00) or imprisonment of not more than one (1) year in the county jail, or by both such fine and imprisonment.

SECTION 2. This act shall become effective November 1, 2016.
Passed the House of Representatives the 17th day of February, 2016.

[Signature]

Presiding Officer of the House of Representatives

Passed the Senate the 6th day of April, 2016.

[Signature]

Presiding Officer of the Senate

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this 7th day of April, 2017, at 10:20 o'clock A.M.

By: [Signature]

Audreylickwell

Approved by the Governor of the State of Oklahoma this 12th day of April, 2016, at 2:21 o'clock P.M.

[Signature]

Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this 12th day of April, 2016, at 2:48 o'clock P.M.

By: [Signature]

[Signature]
An Act

ENROLLED HOUSE
BILL NO. 2535

By: Montgomery of the House

and

Smalley and Loveless of the Senate

An Act relating to schools; creating certain act; authorizing governing body of certain schools to enter into certain agreement; permitting governing body to adopt certain policies; requiring State Department of Education to promulgate certain rules; providing for codification; and providing an effective date.

SUBJECT: Apprenticeships, Internships and Mentorships

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 1210.528 of Title 70, unless there is created a duplication in numbering, reads as follows:

This act shall be known and may be cited as the "Apprenticeships, Internships and Mentorships (AIM) Act of 2016".

SECTION 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 1210.528-1 of Title 70, unless there is created a duplication in numbering, reads as follows:

A. Beginning with the 2017-2018 school year, the governing body of each public, private, magnet, charter or virtual charter school in this state (the school) is authorized to enter into an agreement with private or public organizations for the purpose of creating apprenticeship, internship and mentorship programs. Apprenticeships, internships and mentorships may be available to
high school juniors and seniors as permitted by each school. The apprenticeship, internship or mentorship may fill the requirement of elective courses as the student's schedule permits. A student may not use the apprenticeship, internship or mentorship to replace any other state education requirement.

B. The governing body of each school shall have the authority to adopt policies regarding the creation of apprenticeships, internships and mentorships that include the registration and qualifications for private or public organizations to participate in the apprenticeship, internship or mentorship program.

SECTION 3. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 1210.528-2 of Title 70, unless there is created a duplication in numbering, reads as follows:

The State Department of Education shall promulgate rules to carry out the provisions of the Apprenticeships, Internships and Mentorships (AIM) Act of 2016.

SECTION 4. This act shall become effective November 1, 2016.
Passed the House of Representatives the 28th day of April, 2016.

[Signature]
Presiding Officer of the House of Representatives

Passed the Senate the 5th day of April, 2016.

[Signature]
Presiding Officer of the Senate

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this 2nd day of May, 2016, at 3:40 o'clock P.M.
By: [Signature]

Approved by the Governor of the State of Oklahoma this 5th day of May, 2016, at 2:55 o'clock P.M.

[Signature]
Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this 5th day of May, 2016, at 3:38 o'clock P.M.
By: [Signature]

ENR. H. B. NO. 2535
An Act relating to schools; amending 70 O.S. 2011, Section 1-109, as last amended by Section 1, Chapter 242, O.S.L. 2013 (70 O.S. Supp. 2015, Section 1-109), which relates to the length of the school year; changing certain notification date; deleting authorization and reporting requirement for school districts implementing an extended-day schedule; deleting grade restriction for implementation of an extended-day schedule; providing an effective date; and declaring an emergency.

SUBJECT: Length of the school year

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 70 O.S. 2011, Section 1-109, as last amended by Section 1, Chapter 242, O.S.L. 2013 (70 O.S. Supp. 2015, Section 1-109), is amended to read as follows:

Section 1-109. A. For all public schools in Oklahoma, school shall actually be in session and classroom instruction offered:

1. For not less than one hundred eighty (180) days; or

2. For not less than one thousand eighty (1,080) hours each school year, if a district board of education adopts a school-hours policy and notifies the State Board of Education prior to September 15 or October 15 of the applicable school year.

B. A school district may not count more than thirty (30) hours each school year that are used for attendance of professional
meetings toward the one hundred eighty (180) days or one thousand eighty (1,080) hours of classroom instruction time required in subsection A of this section.

C. Teachers off contract with an employing district shall not be required by the employing school district to attend professional meetings unless the teacher is paid additional compensation for the additional time. Teachers may be paid additional compensation for attending professional meetings in excess of their contract term. Subject to district board of education policy or collective bargaining agreement, additional paid professional days may be granted for individual teachers to attend or participate in professional meetings, staff development training, or National Board certification portfolio development as provided for in Section 6-204.2 of this title.

D. A school district may authorize parent-teacher conferences to be held during a regular school day. If authorized by the school district, parent-teacher conferences shall be counted as classroom instruction time for no more than six (6) hours per semester, for a total of twelve (12) hours per school year.

E. A school district may maintain school for less than a full school year only when conditions beyond the control of school authorities make the maintenance of the term impossible and the State Board of Education has been apprised and has expressed concurrence in writing.

F. The State Board of Education shall establish criteria for an extended-day schedule for schools subject to paragraph 1 of subsection A of this section. The criteria shall:

1. Prescribe a lengthened school day within limits determined not to be detrimental to quality instruction;

2. Ensure that the schedule is equivalent in annual hours of instruction to the one-hundred-eighty-day school year specified in paragraph 1 of subsection A of this section; and

3. Be consistent with the provisions of this section and Sections 1-111 and 1-112 of this title, but may result in fewer annual days of instruction.

G. The State Board of Education may authorize school districts to implement an extended day schedule for instruction pursuant to
the criteria developed. The State Board of Education shall require the participating school districts to prepare a report of the impact of the extended day schedule.

H. Notwithstanding the provisions of subsections subsection F and G of this section, a school district board of education subject to paragraph 1 of subsection A of this section may adopt and implement an extended-day schedule for grades nine through twelve subject to the following requirements:

1. The annual number of hours of instruction shall equal or exceed one thousand eighty (1,080) hours, which is the equivalent of one hundred eighty (180) days of instruction as specified in subsection A of this section for six (6) hours each day as specified in Section 1-111 of this title;

2. The annual number of days of instruction shall equal or exceed one hundred eighty (180) days as specified in subsection A of this section;

3. The schedule adopted shall be consistent with the provisions of Sections 1-111 and 1-112 of this title, except that for not more than one (1) day per week, a school day shall consist of not less than five (5) hours devoted to academic instruction in a regular classroom setting;

4. The district shall hold a public hearing prior to the adoption of an extended-day schedule authorized pursuant to this subsection; and

5. The district shall document the impact on student achievement as determined by the academic performance data score and any other relevant factors that are a result of implementation of an extended-day schedule authorized pursuant to this subsection and provide an annual report to the State Board of Education of the results. If improvement in student achievement cannot be documented in the report, the district board of education shall revoke authorization as provided by this subsection. If the district does not revoke authorization after student achievement is not documented in the report, the State Board of Education may deny accreditation of any school in violation of this subsection.

H. If subject to paragraph 2 of subsection A of this section, a district board of education or designee may elect to close a school during the school day for inclement weather purposes.
In such an event, the number of hours incurred in classroom instruction time prior to school closure shall be counted toward the one thousand eighty (1,080) hours per year requirement.

§ 1. Nothing in this section shall be construed as affecting the right of an employing school district to require teachers as defined in Section 6-101.3 of this title to work in excess of the one thousand eighty (1,080) hours required for student instruction. In addition, nothing in this section shall be construed to affect the Fair Labor Standards Act status of any school district employee.

SECTION 2. This act shall become effective July 1, 2016.

SECTION 3. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.
Passed the House of Representatives the 11th day of February, 2016.

[Signature]
Presiding Officer of the House of Representatives

Passed the Senate the 30th day of March, 2016.

[Signature]
Presiding Officer of the Senate

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this 31st day of March, 2016, at 11:21 o'clock A.M.

By: [Signature]
Audrey Landwell

Approved by the Governor of the State of Oklahoma this 5th day of April, 2016, at 4:56 o'clock P.M.

[Signature]
Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this 5th day of April, 2016, at 5:16 o'clock P.M.

By: [Signature]
[Signature]
An Act

ENROLLED HOUSE BILL NO. 2571

By: Russ of the House and

Brooks of the Senate

An Act relating to motor vehicles; amending 47 O.S. 2011, Section 11-801, as amended by Section 1, Chapter 294, O.S.L. 2015 (47 O.S. Supp. 2015, Section 11-801), which relates to maximum and minimum speed limits; modifying speed limits for school buses; and providing an effective date.

SUBJECT: Maximum and minimum speed limits

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 47 O.S. 2011, Section 11-801, as amended by Section 1, Chapter 294, O.S.L. 2015 (47 O.S. Supp. 2015, Section 11-801), is amended to read as follows:

Section 11-801. A. Any person driving a vehicle on a highway shall drive the same at a careful and prudent speed not greater than nor less than is reasonable and proper, having due regard to the traffic, surface and width of the highway and any other conditions then existing. No person shall drive any vehicle upon a highway at a speed greater than will permit the driver to bring it to a stop within the assured clear distance ahead.

B. Except when a special hazard exists that requires lower speed for compliance with subsection A of this section, the limits specified by law or established as hereinafter authorized shall be maximum lawful speeds, and no person shall drive a vehicle on a highway at a speed in excess of the following maximum limits:

1. Seventy-five (75) miles per hour in locations comprising:
   a. the turnpike system, and
b. rural segments of the interstate highway system, as may be designated by the Transportation Commission. Provided, however, the Commission shall determine prior to the designation of such segments that the public safety will not be jeopardized;

2. Seventy (70) miles per hour in locations which are:
   a. four-lane divided highways including, but not limited to, the interstate highway system, and
   b. super two-lane highways. As used in this section, a super two-lane highway shall mean any two-lane highway with designated passing lanes, and consisting of paved shoulders not less than eight (8) feet in width;

3. Sixty-five (65) miles per hour in other locations;

4. For a school bus, fifty-five (55) miles per hour on paved two-lane highways roads except on multilane divided highways, turnpikes, and the state highway system, the interstate highway system and the turnpike system where the maximum shall be sixty-five (65) miles per hour;

5. On any highway outside of a municipality in a properly marked school zone, twenty-five (25) miles per hour, provided the zone is marked with appropriate warning signs placed in accordance with the latest edition of the Manual on Uniform Traffic Control Devices. The Department of Transportation may determine on the basis of an engineering and traffic investigation that a speed limit higher than twenty-five (25) miles per hour may be reasonable and safe under conditions as they exist upon a highway, and post an alternative school zone speed limit. The Department shall mark such school zones, or entrances and exits onto highways by buses or students, so that the maximum speed provided by this section shall be established therein. Exits and entrances to controlled-access highways which are within such school zones shall be marked in the same manner as other highways. The county commissioners shall mark such school zones along the county roads so that the maximum speed provided by this section shall be established therein. The signs may be either permanent or temporary. The Department shall give priority over all other signing projects to the foregoing duty to mark school zones. The Department shall also provide other safety
devices for school zones which are needed in the opinion of the Department;

6. Twenty-five (25) miles per hour or a posted alternative school zone speed limit through state schools located on the state-owned land adjoining or outside the limits of a corporate city or town where a state educational institution is established;

7. Thirty-five (35) miles per hour on a highway in any state park or wildlife refuge. Provided, however, that the provisions of this paragraph shall not include the State Capitol park area, and no person shall drive any vehicle at a rate of speed in excess of fifty-five (55) miles per hour on any state or federal designated highway within such areas; and

8. For any vehicle or combination of vehicles with solid rubber or metal tires, ten (10) miles per hour.

The maximum speed limits set forth in this section may be altered as authorized in Sections 11-802 and 11-803 of this title.

C. The Commission is hereby authorized to prescribe maximum and minimum speeds for all vehicles and any combinations of vehicles using controlled-access highways. Such regulations shall become effective after signs have been posted on these highways giving notice thereof. Such regulations may apply to an entirely controlled-access highway or to selected sections thereof as may be designated by the Commission. It shall be a violation of this section to drive any vehicle at a faster rate of speed than such prescribed maximum or at a slower rate of speed than such prescribed minimum. However, all vehicles shall at all times conform to the limits set forth in subsection A of this section.

Copies of such regulations certified as in effect on any particular date by the Secretary of the Commission shall be accepted as evidence in any court in this state. Whenever changes have been made in speed zones, copies of such regulations shall be filed with the Commissioner of Public Safety.

D. The Oklahoma Turnpike Authority is hereby authorized to prescribe maximum and minimum speeds for trucks, buses and automobiles using turnpikes. The regulation pertaining to automobiles shall apply to all vehicles not commonly classified as either trucks or buses. Such regulations shall become effective only after approval by the Commissioner of Public Safety, and after
signs have been posted on the turnpike giving notice thereof. Such regulations may apply to an entire turnpike project or to selected sections thereof as may be designated by the Oklahoma Turnpike Authority. It shall be a violation of this section to drive a vehicle at a faster rate of speed than such prescribed maximum speed or at a slower rate of speed than such prescribed minimum speed. However, all vehicles shall at all times conform to the requirements of subsection A of this section.

Copies of such regulations, certified as in effect on any particular date by the Secretary of the Oklahoma Turnpike Authority, shall be accepted in evidence in any court in this state.

E. The driver of every vehicle shall, consistent with the requirements of subsection A of this section, drive at an appropriate reduced speed when approaching and crossing an intersection or railway grade crossing, when approaching and going around a curve, when approaching a hillcrest, when driving upon any narrow or winding roadway, and when special hazard exists with respect to pedestrians or other traffic, or by reason of weather or highway conditions. The Oklahoma Department of Transportation and the Oklahoma Turnpike Authority may post, by changeable message sign or other appropriate sign, a temporary reduced speed limit for maintenance operations or when special hazards with respect to pedestrians, other traffic, an accident, by reason of weather or when other hazardous highway conditions exist.

F. 1. No person shall drive a vehicle on a county road at a speed in excess of fifty-five (55) miles per hour unless posted otherwise by the board of county commissioners, as provided in subparagraphs a through c of this paragraph, as follows:

a. the board of county commissioners may determine, by resolution, a maximum speed limit which shall apply to all county roads which are not otherwise posted for speed,

b. the board of county commissioners shall provide public notice of the speed limit on all nonposted roads by publication in a newspaper of general circulation in the county. The notice shall be published once weekly for a period of four (4) continuous weeks, and
c. the board of county commissioners shall forward the resolution to the Director of the Department and to the Commissioner of Public Safety.

2. The Department shall post speed limit information, as determined pursuant to the provisions of subparagraphs a through c of paragraph 1 of this subsection, on the county line marker where any state highway enters a county and at all off-ramps where interstate highways or turnpikes enter a county. The signs shall read as follows:

ENTERING __________ COUNTY

COUNTY ROAD SPEED LIMIT

____  MPH

UNLESS POSTED OTHERWISE

The appropriate board of county commissioners shall reimburse the Department the full cost of the signage required herein.

G. Any person convicted of a speeding violation pursuant to subsection B or F of this section shall be punished by a fine as follows:

1. One to ten miles per hour over the limit ........$10.00

2. Eleven to fifteen miles per hour over the limit .............................................$20.00

3. Sixteen to twenty miles per hour over the limit ............................................$35.00

4. Twenty-one to twenty-five miles per hour over the limit ..................................$75.00

5. Twenty-six to thirty miles per hour over the limit ...........................................$135.00

6. Thirty-one to thirty-five miles per hour over the limit .....................................$155.00

7. Thirty-six miles per hour or more over the limit .............................................$205.00
or by imprisonment for not more than ten (10) days; for a second conviction within one (1) year after the first conviction, by imprisonment for not more than twenty (20) days; and upon a third or subsequent conviction within one (1) year after the first conviction, by imprisonment for not more than six (6) months, or by both such fine and imprisonment.

SECTION 2. This act shall become effective November 1, 2016.
Passed the House of Representatives the 9th day of March, 2016.

Scott C. Martin
Presiding Officer of the House of Representatives

Passed the Senate the 18th day of April, 2016.

A.J. Griffin
Presiding Officer of the Senate

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this 19th day of April, 2016, at 4:46 o'clock P.M.

By: Audra Fekepool

Approved by the Governor of the State of Oklahoma this 25th day of April, 2016, at 1:31 o'clock P.M.

Mary Fallin
Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this 25th day of April, 2016, at 2:45 o'clock P.M.

By: Chris Benge

ENR. H. B. NO. 2571
An Act

ENROLLED HOUSE
BILL NO. 2614

By: Thomsen of the House
and
Paddack and Pittman of the Senate

An Act relating to schools; amending 70 O.S. 2011, Section 24-101.3, as last amended by Section 6, Chapter 397, O.S.L. 2015 (70 O.S. Supp. 2015, Section 24-101.3), which relates to out-of-school suspension; adding certain act for which a student may be removed from the regular school setting for educational services; providing an effective date; and declaring an emergency.

SUBJECT: Out-of-school suspension

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 70 O.S. 2011, Section 24-101.3, as last amended by Section 6, Chapter 397, O.S.L. 2015 (70 O.S. Supp. 2015, Section 24-101.3), is amended to read as follows:

Section 24-101.3 A. Any student who is guilty of an act described in paragraph 1 of subsection C of this section may be suspended out-of-school in accordance with the provisions of this section. Each school district board of education shall adopt a policy with procedures which provides for out-of-school suspension of students. The policy shall address the term of the out-of-school suspension, provide an appeals process as described in subsection B of this section, and provide that before a student is suspended out-of-school, the school or district administration shall consider and apply, if appropriate, alternative in-school placement options that are not to be considered suspension, such as placement in an alternative school setting, reassignment to another classroom, or
in-school detention. The policy shall address education for students subject to the provisions of subsection D of this section and whether participation in extracurricular activities shall be permitted.

B. 1. Students suspended out-of-school for ten (10) or fewer days shall have the right to appeal the decision of the administration as provided in the policy required in subsection A of this section. The policy shall specify whether appeals for short-term suspensions as provided in this subsection shall be to a local committee composed of district administrators or teachers or both, or to the district board of education. Upon full investigation of the matter, the committee or board shall determine the guilt or innocence of the student and the reasonableness of the term of the out-of-school suspension. If the policy requires appeals for short-term suspensions to a committee, the policy adopted by the board may, but is not required to, provide for appeal of the committee's decision to the board.

2. Students suspended out-of-school for more than ten (10) days and students suspended pursuant to the provisions of paragraph 2 of subsection C of this section may request a review of the suspension with the administration of the district. If the administration does not withdraw the suspension, the student shall have the right to appeal the decision of the administration to the district board of education. Except as otherwise provided for in paragraph 2 of subsection C of this section, no out-of-school suspension shall extend beyond the current semester and the succeeding semester. Upon full investigation of the matter, the board shall determine the guilt or innocence of the student and the reasonableness of the term of the out-of-school suspension. A board of education may conduct the hearing and render the final decision or may appoint a hearing officer to conduct the hearing and render the final decision. The decision of the district board of education or the hearing officer, if applicable, shall be final.

C. 1. Students who are guilty of any of the following acts may be suspended out-of-school by the administration of the school or district:

   a. violation of a school regulation,

   b. possession of an intoxicating beverage, low-point beer, as defined by Section 163.2 of Title 37 of the Oklahoma Statutes, or missing or stolen property if
the property is reasonably suspected to have been
taken from a student, a school employee, or the school
during school activities, and

c. possession of a dangerous weapon or a controlled
dangerous substance while on or within two thousand
(2,000) feet of public school property, or at a school
event, as defined in the Uniform Controlled Dangerous
Substances Act. Possession of a firearm shall result
in out-of-school suspension as provided in paragraph 2
of this subsection.

2. Any student found in possession of a firearm while on any
public school property or while in any school bus or other vehicle
used by a public school for transportation of students or teachers
shall be suspended out-of-school for a period of not less than one
(1) year, to be determined by the district board of education
pursuant to the provisions of this section. The term of the
suspension may be modified by the district superintendent on a case-
by-case basis. For purposes of this paragraph the term "firearm"
shall mean and include all weapons as defined by 18 U.S.C., Section
921.

3. Any student in grades six through twelve found to have
assaulted, attempted to cause physical bodily injury, or acted in a
manner that could reasonably cause bodily injury to a school
employee or a person volunteering for a school as prohibited
pursuant to Section 6-146 of this title shall be suspended for the
remainder of the current semester and the next consecutive semester,
to be determined by the board of education pursuant to the
provisions of this section. The term of the suspension may be
modified by the district superintendent on a case-by-case basis.

D. At its discretion a school district may provide an education
plan for students suspended out-of-school for five (5) or fewer days
pursuant to the provisions of this subsection. The following
provisions shall apply to students who are suspended out-of-school
for more than five (5) days and who are guilty of acts listed in
subparagraphs a and b of paragraph 1 of subsection C of this
section. Upon the out-of-school suspension, the parent or guardian
of a student suspended out-of-school pursuant to the provisions of
this subsection shall be responsible for the provision of a
supervised, structured environment in which the parent or guardian
shall place the student and bear responsibility for monitoring the
student's educational progress until the student is readmitted into
school. The school administration shall provide the student with an education plan designed for the eventual reintegration of the student into school which provides only for the core units in which the student is enrolled. A copy of the education plan shall also be provided to the student's parent or guardian. For the purposes of this section, the core units shall consist of the minimum English, mathematics, science, social studies and art units required by the State Board of Education for grade completion in grades kindergarten through eight and for high school graduation in grades nine through twelve. The plan shall set out the procedure for education and shall address academic credit for work satisfactorily completed.

E. A student who has been suspended out-of-school from a public or private school in the State of Oklahoma or another state for a violent act or an act showing deliberate or reckless disregard for the health or safety of faculty or other students shall not be entitled to enroll in a public school of this state, and no public school shall be required to enroll the student, until the terms of the suspension have been met or the time of suspension has expired.

F. 1. No public school of this state shall be required to provide education services in the regular school setting to any student who has been:

   a. adjudicated as a delinquent for an offense defined as a violent crime in Section 571 of Title 57 of the Oklahoma Statutes.

   b. convicted as an adult of an offense defined as a violent crime in Section 571 of Title 57 of the Oklahoma Statutes,

   c. who has been removed from a public or private school in the State of Oklahoma or another state by administrative or judicial process for a violent act or an act showing deliberate or reckless disregard for the health or safety of faculty or other students, or

   d. suspended as provided for in paragraph 3 of subsection C of this section until the, or

   e. has been removed from a public or private school in the state or another state by administrative or judicial process for an act of using electronic
communication, as defined in Section 24-100.3 of this title, with intent to terrify, intimidate or harass, or threaten to inflict injury or physical harm to faculty or other students.

2. The school in which a student as described in paragraph 1 of this subsection is subsequently enrolled may elect to not provide education services in the regular school setting until the school determines that the student no longer poses a threat to self, other students or school district faculty or employees. Until the school in which such student subsequently enrolls or re-enrolls determines that the student no longer poses a threat to self, other students or school district faculty or employees, the school may provide education services through an alternative school setting, home-based instruction, or other appropriate setting. If the school provides education services to such the student at a district school facility, the school shall notify any student or school district faculty or employee victims of such the student, when known, and shall ensure that the student will not be allowed in the general vicinity of or contact with a victim of the student, provided such the victim notifies the school of the victim's desire to refrain from contact with the offending student.

G. Students suspended out-of-school who are on an individualized education plan pursuant to the Individuals with Disabilities Education Act, P.L. No. 101-476, or who are subject to the provisions of subsection F of this section and who are on an individualized education plan shall be provided the education and related services in accordance with the student's individualized education plan.

H. A student who has been suspended for a violent offense which is directed towards a classroom teacher shall not be allowed to return to that teacher's classroom without the approval of that teacher.

I. At its discretion, a school district may require a student guilty of acts listed in subparagraph a or b of paragraph 1 of subsection C of this section to complete intervention and prevention programs as provided by designated Youth Service Agencies, if available.

J. No school board, administrator or teacher may be held civilly liable for any action taken in good faith which is authorized by this section.
SECTION 2. This act shall become effective July 1, 2016.

SECTION 3. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.
Passed the House of Representatives the 8th day of March, 2016.

Presiding Officer of the House of Representatives

Passed the Senate the 12th day of April, 2016.

Presiding Officer of the Senate

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this 13th day of April, 2016, at 4:10 o'clock P.M.

By: Audrey Rosewell

Approved by the Governor of the State of Oklahoma this 19th day of April, 2016, at 3:13 o'clock P.M.

Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this 19th day of April, 2016, at 4:05 o'clock P.M.

By: Chris Bengal
An Act

An Act relating to schools; providing definitions; prohibiting persons from giving money or a thing of value to a student-athlete or family member for certain purposes; prohibiting persons from entering into or soliciting a transaction with a student-athlete that would result in certain sanctions; providing certain exceptions; establishing penalty; requiring high schools to advise certain students of the provisions of the law and to provide certain information; granting a right of action by a postsecondary institution against certain persons engaging in activity concerning student-athletes; providing for recovery of damages; specifying damages; allowing additional right of action and remedies; providing for codification; and providing an effective date.

SUBJECT: Student-athletes

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 822.1 of Title 70, unless there is created a duplication in numbering, reads as follows:

As used in Sections 2 and 3 of this act:

1. "Immediate family" means a spouse, parent, legal guardian, child, sibling, grandparent, domestic partner or any individual whose close association with the student-athlete is the practical equivalent of a family relationship;
2. "Person" means an individual, corporation, business trust, estate, trust, partnership, limited liability company, association, joint venture, firm or any other legal or commercial entity;

3. "Student-athlete" means a student at any public or private institution of postsecondary education in this state or a student residing in this state who has applied, is eligible to apply, or may be eligible to apply in the future to a public or private institution of postsecondary education who engages in, is eligible to engage in, or may be eligible to engage in any intercollegiate sporting event, contest, exhibition or program; and

4. "Transaction" means any action or set of actions occurring between two or more persons for the sale or exchange of any property or services.

SECTION 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 822.2 of Title 70, unless there is created a duplication in numbering, reads as follows:

A. Except as provided for in subsection C of this section, no person shall give, offer, promise or attempt to give any money or other thing of value to a student-athlete or member of the immediate family of a student-athlete:

1. To induce, encourage or reward the application, enrollment or attendance of the student-athlete at a public or private institution of postsecondary education in order to have the student-athlete participate in intercollegiate sporting events, contests, exhibitions or programs at that institution; or

2. To induce, encourage or reward the participation in an intercollegiate sporting event, contest, exhibition or program by the student-athlete.

B. No person shall enter into or solicit directly or through an agent a transaction with a student-athlete if the person has, or could be reasonably expected to have, knowledge that the transaction would likely cause the student-athlete to permanently or temporarily lose athletic scholarship eligibility, the ability to participate on an intercollegiate athletic team or the ability to participate in one or more intercollegiate sporting competitions as sanctioned by:
1. A national association for the promotion and regulation of intercollegiate athletics;

2. An athletic conference or other sanctioning body; or

3. The institution of postsecondary education itself as a reasonable self-imposed disciplinary action taken by the institution to mitigate sanctions likely to be imposed by an organization as a result of the transaction or as a violation of the rules of the institution.

C. This section shall not apply to:

1. Any public or private institution of postsecondary education or to any officer or employee of the institution when the institution or the officer or employee of the institution is acting in accordance with an official written policy of the institution which is in compliance with the bylaws of the National Collegiate Athletic Association;

2. Any intercollegiate athletic award approved or administered by the public or private institution of postsecondary education;

3. Grants-in-aid or other full or partial scholarships awarded to a student-athlete or administered by a public or private institution of postsecondary education;

4. Members of the immediate family of the student-athlete; and

5. Money or things of value given by a person to a student-athlete or the immediate family of a student-athlete that do not exceed One Hundred Dollars ($100.00) in value in the aggregate on an annual basis.

D. Any person who violates the provisions of this section shall be guilty of a misdemeanor and, upon conviction, shall be subject to a fine of not less than One Thousand Dollars ($1,000.00) and not more than Five Thousand Dollars ($5,000.00), or by imprisonment not to exceed one (1) year, or by both such fine and imprisonment.

E. Each public and private high school in this state shall at the beginning of each sports season advise in writing each student who participates in any athletic program sponsored by the school of the provisions of this section and shall provide each student with information concerning the effect of receiving money or other things
of value on the future eligibility of the student to participate in intercollegiate athletics. The provisions of this subsection shall not apply to intramural athletic programs sponsored by the school.

SECTION 3. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 822.3 of Title 70, unless there is created a duplication in numbering, reads as follows:

A. Each public and private institution of postsecondary education located in this state that participates or engages in intercollegiate athletics shall have a right of action against any person who engages in any activity concerning student-athletes that results in:

1. The institution being penalized, disqualified, or suspended from participation in intercollegiate athletics by a national association for the promotion and regulation of intercollegiate athletics, by an athletic conference or other sanctioning body, or by reasonable self-imposed disciplinary action taken by the institution to mitigate sanctions likely to be imposed by the organizations as a result of the activity; or

2. The student-athlete permanently or temporarily losing athletic scholarship eligibility, the ability to participate on an intercollegiate athletic team, or the ability to participate in one or more intercollegiate sporting competitions as sanctioned by a national association for the promotion and regulation of intercollegiate athletics, by an athletic conference or other sanctioning body or by the institution itself as a reasonable self-imposed disciplinary action taken by the institution to mitigate sanctions likely to be imposed by the organizations as a result of engaging in the activity or as a violation of the rules of the institution.

B. An institution shall be entitled to recover all damages which are directly related to or which flow from and are reasonably related to the improper activity as described in this section and to any penalties, disqualifications and suspensions. Damages shall include, but are not limited to, loss of scholarships, loss of television revenue, loss of bowl revenue and legal and other fees associated with the investigation of the activity and the representation of the institution before the sanctioning organizations in connection with the investigation and resolution of the activity. If the institution is the prevailing party in its cause of action, it shall be entitled to an award of court costs.
costs of litigation and reasonable attorney fees. The institution may request and the court may enter an injunction prohibiting any person found liable from having any further contact with the institution, its student-athletes and student-athletes who have expressed or might express an interest in attending the institution. The institution may also request and the court may enter an injunction prohibiting any person found liable from attending athletic contests, exhibitions, games or other events in which one or more student-athletes are participating.

C. The right of action and remedies under this section are in addition to all other rights of action which may be available to the institution.

SECTION 4. This act shall become effective November 1, 2016.
Passed the House of Representatives the 18th day of February, 2016.

Presiding Officer of the House of Representatives

Passed the Senate the 31st day of March, 2016.

Presiding Officer of the Senate

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this 4th day of April, 2016, at 3:10 o'clock P.M.

By: Mary Fallin

Approved by the Governor of the State of Oklahoma this 7th day of April, 2016, at 3:14 o'clock P.M.

Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this 7th day of April, 2016, at 3:43 o'clock P.M.

By: [Signature]

ENR. H. B. NO. 2615
An Act

ENROLLED HOUSE
BILL NO. 2616

By: Thomsen, Roberts (Dustin),
Condit, Cannaday, Hoskin,
Nollan, Coody (Jeff) and
Martin of the House

and

Fields, Brooks and Paddock
of the Senate

An Act relating to telecommunications; amending 17
O.S. 2011, Section 137.3, which relates to the
assessment of a universal service fee; changing
entities required to pay a universal service fee;
amending 17 O.S. 2011, Sections 139.101 and 139.102,
as last amended by Section 1, Chapter 245, O.S.L.
2014, 139.106 and 139.107 (17 O.S. Supp. 2015,
Section 139.102), which relate to the Oklahoma
Telecommunications Act of 1997; modifying short
title; modifying definitions; adding definitions;
changing entities required to pay a certain Oklahoma
Universal Service Fund (OUSF) charge; deleting
certain reconsideration or refund process; requiring
certain determination of funding by the OUSF
Administrator; providing for approval in certain
circumstances; providing for payment of OUSF funding;
establishing procedures for certain requests for OUSF
funding; providing for payment within certain time
frame; establishing process for reconsideration of
funding; providing for certain interest payment;
defining certain term; updating statutory citations;
modifying source of certain funding; modifying
funding requirements for the Oklahoma Lifeline Fund
and the Oklahoma Universal Service Fund; changing
entities required to provide funding; modifying basis
for funding; establishing assessment method for Voice
over Internet Protocol services; authorizing the
Corporation Commission to modify contribution
methodology; specifying Division of the Commission
required to provide administration; requiring
Administrator to be independent evaluator;
authorizing Administrator to enter into certain contracts; providing services that are Special Universal Services; establishing criteria for determining certain credit amount; making certain providers eligible for certain reimbursement; establishing the credit amount for certain eligible services; defining certain term; establishing competitive bidding requirements; requiring a fair and open process; listing services which shall be competitively bid; requiring competitive bidding for certain eligible services under certain circumstances; exempting certain eligible services; precluding new competitive bidding under certain circumstances; authorizing the Administrator to investigate Special Universal Service funding requests; establishing criteria for the OUSF beneficiary approval process; providing for administrative approval process; providing for issuance of an approval funding letter by the OUSF Administrator; providing for certain adjustments; establishing criteria for the eligible provider reimbursement process; directing the OUSF Administrator to maintain certain information on a website; limiting funding for eligible services; providing for changes in costs; precluding requirement for a Commission order in certain circumstances; repealing 17 O.S. 2011, Section 139.109, as last amended by Section 2, Chapter 182, O.S.L. 2014 (17 O.S. Supp. 2015, Section 139.109), which relates to certain funds; providing for codification; and declaring an emergency.

SUBJECT: Telecommunications

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 17 O.S. 2011, Section 137.3, is amended to read as follows:

Section 137.3 The Corporation Commission may, after notice and hearing, assess a universal service fee upon all contributing providers of telecommunications services, as defined by the rules of
the Corporation Commission, and upon cellular and other radio carriers, in Section 139.102 of this title to support state and federal universal service objectives.

SECTION 2. AMENDATORY 17 O.S. 2011, Section 139.101, is amended to read as follows:

Section 139.101 Sections 139.101 through 139.109 and Section 3 of this Act shall be known and may be cited as the "Oklahoma Telecommunications Act of 1997".

SECTION 3. AMENDATORY 17 O.S. 2011, Section 139.102, as last amended by Section 1, Chapter 245, O.S.L. 2014 (17 O.S. Supp. 2015, Section 139.102), is amended to read as follows:

Section 139.102 As used in the Oklahoma Telecommunications Act of 1997:

1. "Access line" means the facility facilities provided and maintained by a telecommunications service provider which permits access to or from the public switched network or its functional equivalent regardless of the technology or medium used;

2. "Administrative process" means an administrative application process which allows eligible exchange telecommunications providers and eligible providers to request funding and an administrative submission process that allows Oklahoma Universal Service Fund Beneficiaries to submit a preapproval request directly to the Administrator. Both of the administrative processes shall not require an order from the Commission to determine eligibility for, allocate or disburse funds unless a request for reconsideration is filed;

3. "Administrator" means the Director of the Public Utility Division of the Corporation Commission;

4. "Commission" means the Corporation Commission of this state;

5. "Competitive local exchange carrier" or "CLEC" means, with respect to an area or exchange, a telecommunications service provider that is certificated by the Commission to provide local exchange services in that area or exchange within the state after July 1, 1995;
4. "Competitively neutral" means not advantaging or favoring one person or technology over another;

5. "Consortium" means, as used in Section 6 of this act, two or more Oklahoma Universal Service Fund Beneficiaries that choose to request support under the Federal Universal Service Support Mechanism or successor program or programs as a single entity;

6. "Contributing providers" means providers, including but not limited to providers of intrastate telecommunications, providers of intrastate telecommunications for a fee on a non-common-carrier basis, providers of wireless telephone service and providers of interconnected Voice over Internet Protocol (VoIP). Contributing providers shall contribute to the Oklahoma Universal Service Fund and Oklahoma Lifeline Fund. VoIP providers shall be assessed only as provided for in the decision of the Federal Communications Commission, FCC 10-185, released November 5, 2010, or such other assessment methodology that is not inconsistent with federal law. Entities exempt from contributing to the Federal Universal Service Support Mechanisms are also exempt from contributing to the Oklahoma Universal Service Fund and Oklahoma Lifeline Fund consistent with 47 C.F.R., Section 54.706(d). The term "contributing providers" may be modified to conform to the definition of contributors as defined by the FCC if adopted by the Commission, after notice and hearing;

9. "Eligible healthcare entity" means a not-for-profit hospital, county health department, city-county health department, not-for-profit mental health and substance abuse facility or Federally Qualified Health Center in Oklahoma. Eligible healthcare entity shall also include telemedicine services provided by the Oklahoma Department of Corrections at facilities identified in Section 509 of Title 57 of the Oklahoma Statutes;

10. "Eligible local exchange telecommunications service provider" means ILEC, CLEC and commercial radio mobile service provider as those terms are used in the Oklahoma Telecommunications Act of 1997;

11. "Eligible provider" means, for purposes of Special Universal Services, providers of telecommunications services which hold a certificate of convenience and necessity and OneNet;

12. "End User Common Line Charge" means the flat-rate monthly interstate access charge required by the Federal Communications Commission that contributes to the cost of local service;
6-13. "Enhanced service" means a service that is delivered over communications transmission facilities and that uses computer processing applications to:
   a. change the content, format, code, or protocol of transmitted information,
   b. provide the customer new or restructured information, or
   c. involve end-user interaction with information stored in a computer;

7-14. "Exchange" means a geographic area established by an incumbent local exchange telecommunications provider as filed with or approved by the Commission for the administration of local telecommunications service in a specified area which usually embraces a city, town, or village and its environs and which may consist of one or more central offices together with associated plant used in furnishing telecommunications service in that area;

8-15. "Facilities" means all the plant and equipment of a telecommunications service provider, including all tangible and intangible real and personal property without limitation, and any and all means and instrumentalities in any manner owned, operated, leased, licensed, used, controlled, furnished, or supplied for, by, or in connection with the regulated business of any telecommunications service provider;

9-16. "Federally Qualified Health Center" or "(FQHC)" means an entity which:
   a. is receiving a grant under Section 330 of the Public Health Service (PHS) Act, 42 U.S.C., Section 254b, or is receiving funding from a grant under a contract with the recipient of such a grant and meets the requirements to receive a grant under Section 330 of the PHS Act,
   b. based on the recommendation of the Health Resources and Services Administration within the Public Health Service, is determined by the Secretary of the Department of Health and Human Services to meet the
requirements for receiving a grant as described in subparagraph a of this paragraph.

c. was treated by the Secretary of the Department of Health and Human Services, for purposes of part B of Section 330 of the PHS Act, as a comprehensive federally funded health center as of January 1, 1990, or

d. is an outpatient health program or facility operated by a tribe or tribal organization under the Indian Self-Determination Act, 25 U.S.C., Section 450f et seq., or by an urban Indian organization receiving funds under Title V of the Indian Health Care Improvement Act, 25 U.S.C., Section 1651 et seq.;

17. "Federal Universal Service Support Mechanism" is the support program established by the Telecommunications Act of 1996, 47 U.S.C., Section 254(h). The program includes support for schools, libraries and healthcare providers;

18. "Funding year" means, for purposes of administering the Oklahoma Universal Service Fund, the period of July 1 through June 30;

19. "High speed Internet access service" or "broadband service" means, as used in Section 139.110 of this title, those services and underlying facilities that provide upstream, from customer to provider, or downstream, from provider to customer, transmission to or from the Internet in excess of one hundred fifty (150) kilobits per second, regardless of the technology or medium used including, but not limited to, wireless, copper wire, fiber optic cable, or coaxial cable, to provide such service;

20. "Hospital" means a healthcare entity that has been granted a license as a hospital by the Oklahoma Department of Health for that particular location;

21. "Incumbent local exchange telecommunications service provider" or "ILEC" means, with respect to an area or exchanges, any telecommunications service provider furnishing local exchange service in such area or exchanges within this state on July 1, 1995, pursuant to a certificate of convenience and necessity or grandfathered authority;
22. "Installation charge" means any charge for a nonrecurring service charged by an eligible provider necessary to initiate Special Universal Services. Installation charges may not exceed the cost which would be charged for installation, if the cost were not being paid for by the OUSP;

23. "Interexchange telecommunications carrier" or "IXC" means any person, firm, partnership, corporation or other entity, except an incumbent local exchange telecommunications service provider, engaged in furnishing regulated interexchange telecommunications services under the jurisdiction of the Commission;

24. "Internet" means the international research-oriented network comprised of business, government, academic and other networks;

25. "Local exchange telecommunications service" means a regulated switched or dedicated telecommunications service which originates and terminates within an exchange or an exchange service territory. Local exchange telecommunications service may be terminated by a telecommunications service provider other than the telecommunications service provider on whose network the call originated. The local exchange service territory defined in the originating provider's tariff shall determine whether the call is local exchange service;

26. "Local exchange telecommunications service provider" means a company holding a certificate of convenience and necessity from the Commission to provide local exchange telecommunications service;

27. "Not-for-profit hospital" means:
   a. a hospital located in this state which has been licensed as a hospital at that location pursuant to Section 1-701 et seq. of Title 63 of the Oklahoma Statutes for the diagnosis, treatment, or care of patients in order to obtain medical care, surgical care or obstetrical care and which is established as exempt from taxation pursuant to the provisions of the Internal Revenue Code, 26 U.S.C., Section 501(c)(3), or
   b. a hospital located in this state which is licensed as a hospital at that location pursuant to Section 1-701
et seq. of Title 63 of the Oklahoma Statutes and is owned by a municipality, county, the state or a public trust for the diagnosis, treatment, or care of patients in order to obtain medical care, surgical care, or obstetrical care;

17. 28. "Not-for-profit mental health and substance abuse facility" means a facility, not for the sole purpose of administration, which is operated by the Department of Mental Health and Substance Abuse Services or a facility certified by the Department of Mental Health and Substance Abuse Services as a Community Mental Health Care Center, a Community-Based Structured Crisis Center or a Community Comprehensive Addiction Recovery Center;

18. 29. "Oklahoma High Cost Fund" means the fund established by the Commission in Cause Nos. PUD 950000117 and 950000119;

19. 30. "Oklahoma Lifeline Fund" or "(OLF)" means the fund established and required to be implemented by the Commission pursuant to Section 139.105 of this title;

20. 31. "Oklahoma Universal Service Fund" or "(OUSF)" means the fund established and required to be implemented by the Commission pursuant to Section 139.106 of this title;

21. 32. "Oklahoma Universal Service Fund Beneficiary" means an entity eligible to receive Special Universal Services support as provided for in subsection A of Section 6 of this act;

33. "Prediscount amount" means the total cost of Special Universal Services, selected pursuant to the procedures set out in subparagraph 5 of subsection B of Section 6 of this act, before charges are reduced by federal or state funding support. The prediscount amount shall not include fees or taxes;

34. "Person" means any individual, partnership, association, corporation, governmental entity, public or private organization of any character, or any other entity;

35. "Primary universal service" means an access line and dial tone provided to the premises of residential or business customers which provides access to other lines for the transmission of two-way switched or dedicated communication in the local calling area without additional, usage-sensitive charges, including:
a. a primary directory listing,

b. dual-tone multifrequency signaling,

c. access to operator services,

d. access to directory assistance services,

e. access to telecommunications relay services for the deaf or hard-of-hearing,

f. access to nine-one-one service where provided by a local governmental authority or multijurisdictional authority, and

g. access to interexchange long distance services;

23. 36. "Public library" means a library or library system that is freely open to all persons under identical conditions and which is supported in whole or in part by public funds. Public library shall not include libraries operated as part of any university, college, school museum, the Oklahoma Historical Society or county law libraries;

24. 37. "Public school" means all free schools supported by public taxation, and shall include grades prekindergarten through twelve and technology center schools that provide vocational and technical instruction for high school students who attend the technology center school on a tuition-free basis. Public school shall not include private schools, home schools or virtual schools;

25. 38. "Regulated telecommunications service" means the offering of telecommunications for a fee directly to the public where the rates for such service are regulated by the Commission. Regulated telecommunications service does not include the provision of nontelecommunications services, including, but not limited to, the printing, distribution, or sale of advertising in telephone directories, maintenance of inside wire, customer premises equipment, and billing and collection service, nor does it include the provision of wireless telephone service, enhanced service, and other unregulated services, including services not under the jurisdiction of the Commission, and services determined by the Commission to be competitive;
26. 39. "Special Universal Services" means the telecommunications services supported by the OUSF which are
turned to public schools, public libraries, not-for-profit
hospitals and county seats eligible health care entities as provided
for in Section 49.109 6 of this title act;

27. 40. "Tariff" means all or any part of the body of rates,
tolls, charges, classifications, and terms and conditions of service
relating to regulated services offered, the conditions under which
offered, and the charges therefor, which have been filed with the
Commission and have become effective;

28. 41. "Telecommunications" means the transmission, between or
among points specified by the user, of voice or data information of
the user's choosing, without change in the form or content of the
information as sent and received;

29. 42. "Telecommunications carrier" means a person that
provides telecommunications service in this state;

30. 43. "Telecommunications service" means the offering of
 telecommunications for a fee;

31. 44. "Telemedicine service" means the practice of health care delivery, diagnosis, consultation and treatment, including but
not limited to the transfer of medical data or exchange of medical education information by means of audio, video or data communications. Telemedicine service shall not mean a consultation provided by telephone or facsimile machine;

45. "Universal service area" has the same meaning as the term "service area" as defined in 47 U.S.C., Section 214(e)(5); and

32. 46. "WAN" means a wide-area network that exists over a large-scale geographical area. A WAN connects different smaller networks, including local area networks and metro area networks, which ensures that computers and users in one location can communicate with computers and users in other locations;

47. "Wire center" means a geographic area normally served by a central office; and

48. "Wireless telephone service" means radio communication service carried on between mobile stations or receivers and land stations and by mobile stations communicating among themselves and
which permits a user generally to receive a call that originates or terminates on the public switched network or its functional equivalent regardless of the radio frequencies used.

SECTION 4. AMENDATORY 17 O.S. 2011, Section 139.106, is amended to read as follows:

Section 139.106 A. There is hereby created within the Corporation Commission the "Oklahoma Universal Service Fund" (OUSF). Not later than January 31, 1998, the Corporation Commission shall promulgate rules implementing the OUSF so that, consistent with the provisions of this section, funds can be made available to eligible local exchange telecommunications service providers and, consistent with Section 6 of this act, funds can be made available to eligible providers.

B. The fund OUSF shall be funded and administered to promote and ensure the availability of primary universal services, at rates that are reasonable and affordable and special universal services Special Universal Services, and to provide for reasonably comparable services at affordable rates in rural areas as in urban areas. The OUSF shall provide funding to local exchange telecommunications service providers that meet the eligibility criteria established in this section and to eligible providers that meet the eligibility criteria established in Section 6 of this act for the provision of Special Universal Services.

C. The OUSF shall be funded by a charge paid by all telecommunications carriers contributing providers as provided for in Section 7 139.107 of this act title, at a level sufficient to maintain universal service.

D. 1. The procedure for eligible local exchange telecommunications service providers and eligible providers to seek and obtain OUSF and Oklahoma Lifeline Fund (OLF) funding shall be as set forth in this subsection.

2. Within ninety (90) days after receipt of a request for funds from an eligible local exchange telecommunications service provider or an eligible provider, the Administrator designated as defined pursuant to Section 7 139.102 of this act title shall independently review and determine the accuracy of the request and advise the eligible local exchange telecommunications service provider or eligible provider requesting the funds of the determination of eligibility made by the Administrator. Any affected party shall
have fifteen (15) days to request reconsideration by the Commission of the determination made by the Administrator. If the Commission does not issue an order within thirty (30) days from the request for reconsideration, the request shall be deemed approved, on an interim basis, subject to refund with interest. Any refund shall include interest at a rate of not more than the interest rate established by the Commission on customer deposits and shall accrue for a period not to exceed ninety (90) days from the date the funds were received by the requesting eligible provider. The determination shall detail the amount of funding recoverable from the OUSF and OLF. Failure by the Administrator to issue a determination within the ninety-day period means the request for OUSF or OLF reimbursement is deemed approved on a permanent basis, and funding shall be paid within forty-five (45) days without an order of the Commission. If a request for reconsideration of the determination of the Administrator is not filed as provided for in paragraph 5 of this subsection, the determination shall be deemed final on the sixteenth day following the date of the determination. The OUSF funding as provided in the determination of the Administrator shall be paid to the eligible local exchange telecommunications service provider or eligible provider within forty-five (45) days without an order of the Commission.

3. For requests seeking OUSF funds pursuant to Section 6 of this act, provided that an OUSF approval funding letter has been issued as otherwise provided for in the Oklahoma Telecommunications Act of 1997, the eligible provider shall, within sixty (60) days of the start of service, submit to the Administrator a request for reimbursement from the OUSF. The Administrator shall have sixty (60) days to issue a determination to the Oklahoma Universal Service Fund Beneficiary and eligible provider detailing the amount of funding recoverable from the OUSF. Failure by the Administrator to issue a determination within the sixty-day period means the request for OUSF reimbursement is approved as submitted. The determination shall detail the amount of funding recoverable from the OUSF. Failure by the Administrator to issue a determination shall mean the request for OUSF reimbursement is deemed approved on a permanent basis, and funding shall be paid within forty-five (45) days without an order of the Commission. If a request for reconsideration of the determination of the Administrator is not filed as provided for in paragraph 5 of this subsection, the determination shall be deemed final on the sixteenth day following the date of the determination. The OUSF funding as provided in the determination of the Administrator shall be paid to the eligible provider within forty-five (45) days without an order of the Commission.
4. A request for reimbursement as provided for in paragraph 3 of this subsection shall be in the form as determined by the Administrator. The form shall be posted by the Administrator no later than one hundred twenty (120) days prior to the start of the funding year to become effective July 1 for reimbursement requests submitted for eligible services provided during the funding year. Any party may file an objection to a posted form with the Commission within fifteen (15) days of the posting. The Commission shall have thirty (30) days to issue a final order on the objection to the form. If the Commission does not issue a final order on the objection within thirty (30) days, the objection shall be deemed approved.

5. Any affected party, meaning the eligible local exchange telecommunications service provider, the eligible provider, any service provider that pays into the OUSF, the Oklahoma Universal Service Fund Beneficiary or the Attorney General, shall have fifteen (15) days to file a request for reconsideration by the Commission of the determination made by the Administrator. If the Commission does not issue a final order within thirty (30) days from the date the request for reconsideration is filed, the request shall be deemed approved on an interim basis subject to refund with interest. The interest rate on a refund shall be at a rate of not more than the interest rate established by the Commission on customer deposits and shall accrue for a period not to exceed ninety (90) days from the date the funds were received by the requesting eligible local exchange telecommunications service provider or eligible provider. If the Commission does not issue a final order within one hundred twenty (120) days of the filing of the request for reconsideration, then the request for OUSF or OLF funding as filed shall be deemed approved on a permanent basis without order of the Commission, and the OUSF and OLF funding shall be paid without an order of the Commission within forty-five (45) days.

6. The term "final order" as used in this subsection shall mean an order which resolves all issues associated with the request for OUSF or OLF funding.

E. Telecommunications carriers Contributing providers may, at their option, recover from their retail customers the OUSF charges paid by the telecommunications carrier contributing provider. The OUSF charges shall not be subject to state or local taxes or franchise fees.
F. The Commission shall not, prior to implementation and the availability of funds from the OUSF, require local exchange telecommunications service providers to reduce rates for intrastate access services.

G. Any eligible local exchange telecommunications service provider may request funding from the OUSF as necessary to maintain rates for primary universal services that are reasonable and affordable. OUSF funding shall be provided to eligible local exchange telecommunications service providers for the following:

1. To reimburse eligible local exchange telecommunications service providers for the reasonable investments and expenses not recovered from the federal universal service fund or any other state or federal government fund incurred in providing universal services;

2. Infrastructure expenditures or costs incurred in response to facility or service requirements established by a legislative, regulatory, or judicial authority or other governmental entity mandate;

3. For reimbursement of the Lifeline Service Program credits as set forth in Section 5 139.105 of this act title;

4. To reimburse eligible local exchange telecommunications service providers for providing the Special Universal Services as set forth in subsection C of Section 9 6 of this act;

5. To defray the costs of administering the OUSF, including the costs of administration, processing, and an annual independent audit, if. The annual audit shall not be performed by the Commission staff; and

6. For other purposes deemed necessary by the Commission to preserve and advance universal service.

H. In identifying and measuring the costs of providing primary universal services, exclusively for the purpose of determining OUSF funding levels under this section, the eligible local exchange telecommunications service provider serving less than seventy-five thousand access lines shall, at its option:

1. Calculate such costs by including all embedded investments and expenses incurred by the eligible local exchange telecommunications service provider in the provision of primary
universal service, and may identify high-cost areas within the local exchange area it serves and perform a fully distributed allocation of embedded costs and identification of associated primary universal service revenue. Such calculation may be made using fully distributed Federal Communications Commission parts 32, 36 and 64 costs, if such parts are applicable. The high-cost area shall be no smaller than a single exchange, wire center, or census block group, chosen at the option of the eligible local exchange telecommunications service provider; 

2. Adopt the cost studies approved by the Commission for a local exchange telecommunications service provider that serves seventy-five thousand or more access lines; or 

3. Adopt such other costing or measurement methodology as may be established for such purpose by the Federal Communications Commission pursuant to Section 254 of the federal Telecommunications Act of 1996.

I. In identifying and measuring the cost of providing primary universal services, and exclusively for the purpose of determining OUSF funding levels pursuant to this section, each ILEC which serves seventy-five thousand or more access lines and each CLEC shall identify high-cost areas within the local exchange and perform a cost study using a Commission-approved methodology from those identified in subsection H of this section. The high-cost area shall be no smaller than a single exchange, wire center or census block group chosen at the option of the eligible ILEC or CLEC. If the Commission fails to approve the selected methodology within one hundred twenty (120) days of the filing of the selection, the selected methodology shall be deemed approved.

J. The Commission may by rule expand primary universal services to be supported by the OUSF, after notice and hearing. The Administrator, upon approval of the Commission, shall determine the level of additional OUSF funding to be made available to an eligible local exchange telecommunications service provider which is required to recover the cost of any expansion of universal services.

K. 1. Each request for OUSF funding by an eligible ILEC serving less than seventy-five thousand access lines shall be premised upon the occurrence of one or more of the following:

   a. in the event of a Federal Communications Commission order, rule or policy, the effect of which is to
decrease the federal universal service fund revenues of an eligible local exchange telecommunications service provider, the eligible local exchange telecommunications service provider shall recover the decreases in revenues from the OUSF,

b. if, as a result of changes required by existing or future federal or state regulatory rules, orders, or policies or by federal or state law, an eligible local exchange telecommunications service provider experiences a reduction in revenues or an increase in costs, it shall recover the revenue reductions or cost increases from the OUSF, the recovered amounts being limited to the net reduction in revenues or cost increases, or

c. if, as a result of changes made as required by existing or future federal or state regulatory rules, orders, or policies or by federal or state law, an eligible local exchange telecommunications service provider experiences a reduction in costs, upon approval by the Commission, the provider shall reduce the level of OUSF funding it receives to a level sufficient to account for the reduction in costs.

2. The receipt of OUSF funds for any of the changes referred to in this subsection shall not be conditioned upon any rate case or earnings investigation by the Commission. The Commission shall, pursuant to subsection D of this section, approve the request for payment or adjustment of payment from the OUSF based on a comparison of the total annual revenues received from the sources affected by the changes described in paragraph 1 of this subsection by the requesting eligible local exchange telecommunications service provider during the most recent twelve (12) months preceding the request, and the reasonable calculation of total annual revenues or cost increases which will be experienced after the changes are implemented by the requesting eligible local exchange telecommunications service provider.

L. Upon request for OUSF funding by an ILEC serving seventy-five thousand or more access lines or a CLEC, the Commission shall after notice and hearing make a determination of the level of OUSF funds, if any, that the provider is eligible to receive for the purposes contained in subsection K of this section. If the Commission fails to make a determination within one hundred twenty
(120) days of the filing of the request, the request for funding shall be deemed approved. Providers who are not prohibited from applying for OUSF funds as set forth in Section 9 of this act shall receive funding for any special universal services provided and contributions made to the Oklahoma E911 Emergency Service Fund and the Oklahoma Telecommunications Technology Training Fund from the OUSF without a hearing.

M. The incumbent local exchange telecommunications service provider, its successors and assigns, which owned, maintained and provided facilities for universal service within a local exchange area on January 1, 1996, shall be the local exchange telecommunications service provider eligible for OUSF funding within the local exchange area, except as otherwise provided for in this act.

N. 1. Where the incumbent local exchange telecommunications service provider receives or is eligible to receive monies from the OUSF, except as otherwise provided in this section, the Commission, after notice and hearing, may designate other local exchange telecommunications service providers to be eligible for the funding, provided:

   a. the other local exchange telecommunications service provider is certificated by the Commission to provide and offers the primary universal services supported by the OUSF to all customers in the universal service area designated by the Commission, using its own facilities, or a combination of its own facilities and the resale of the services or facilities of another. Universal service support under this subsection shall not begin until the other local exchange telecommunications service provider has facilities in place,

   b. the other local exchange telecommunications service provider may only receive funding for the portion of the facilities that it owns, maintains, and uses for regulated services,

   c. the other local exchange telecommunications service provider shall not receive OUSF funding at a level higher than the level of funding the incumbent local exchange telecommunications service provider is eligible to receive for the same area if the incumbent
local exchange telecommunications service provider is also providing service in the same area; provided, the cost of any cost studies required to be performed shall be borne by the party requesting such studies, unless the party performing the study utilizes the study for its own benefit,

d. the other local exchange telecommunications service provider advertises the availability and charges for services it provides through a medium of general distribution, and

e. it is determined by the Commission that the designation is in the public interest and the other local exchange telecommunications service provider is in compliance with all Commission rules for which a waiver has not been granted.

2. Notwithstanding the criteria set forth in this section for designation as an eligible local exchange telecommunications service provider, a commercial mobile radio service provider may, after notice and hearing, seek reimbursement from the OUSF for the provision of services supported by the OUSF, and any telecommunications carrier may seek reimbursement from the OUSF for the provision of Lifeline Service consistent with Section 4139.105 of this act and for the provision of Special Universal Services consistent with Section 4139.6 of this act.

0. In exchanges or wire centers where the Commission has designated more than one local exchange telecommunications service provider as eligible for OUSF funding, the Commission shall permit one or more of the local exchange telecommunications service providers in the area to relinquish the designation as a local exchange telecommunications service provider eligible for OUSF funding in a manner consistent with Section 214(e)(4) of the federal Telecommunications Act of 1996, upon a finding that at least one eligible local exchange telecommunications service provider shall continue to assume the carrier-of-last-resort obligations throughout the area.

P. For any area served by an incumbent local exchange telecommunications service provider which serves less than seventy-five thousand access lines within the state, only the incumbent local exchange telecommunications service provider shall be eligible for OUSF funding except:
1. Other eligible telecommunications carriers which provide Special Universal Services or Lifeline Service shall be eligible to request and receive OUSF funds in the same manner as the incumbent local exchange telecommunications service provider in the same area pursuant to this act the Oklahoma Telecommunications Act of 1997;

2. The incumbent local exchange telecommunications service provider may elect to waive the right to be the only eligible local exchange telecommunications service provider within the local exchange area by filing notice with the Commission; or

3. When the Commission, after notice and hearing, makes a determination that it is in the public interest that another local exchange telecommunications service provider should also be deemed a carrier of last resort and be eligible to receive OUSF funding in addition to the incumbent local exchange telecommunications service provider. It shall not be in the public interest to designate another local exchange telecommunications service provider as being a carrier of last resort and eligible to receive OUSF funding if such designation would cause a significant adverse economic impact on users of telecommunications services generally or if the other carrier refuses to seek and accept carrier-of-last-resort obligations throughout the universal service area as designated by the Commission. The other local exchange telecommunications service provider shall not receive OUSF funding at a level higher than the level of funding the incumbent local exchange telecommunications service provider is eligible to receive for the same area if the incumbent local exchange telecommunications service provider is also providing service in the same area and the other local exchange telecommunications service provider meets the requirements of subparagraphs a, b, d and e of paragraph 1 of subsection N of this section.

SECTION 5. AMENDATORY 17 O.S. 2011, Section 139.107, is amended to read as follows:

Section 139.107 A. The Oklahoma Lifeline Fund (OLF) and the Oklahoma Universal Service Fund (OUSF) shall be funded in a competitively neutral manner not inconsistent with federal law by all telecommunications carriers contributing providers. The funding from each carrier contributing provider shall be based on the total retail billed intrastate retail Oklahoma Voice over Internet Protocol (VoIP) revenues and intrastate telecommunications revenues, from both regulated and unregulated services, of the
telecommunications carrier contributing provider, hereinafter referred to as assessed revenues, as a percentage of all telecommunications carriers' total retail billed intrastate assessed revenues of the contributing providers, from both regulated and unregulated services or such other assessment methodology not inconsistent with federal law. VoIP services shall be assessed only as provided for in the decision of the Federal Communications Commission, FCC 10-185, released November 5, 2010, or such other assessment methodology that is not inconsistent with federal law. The Commission may after notice and hearing modify the contribution methodology for the OUSF and OLF, provided the new methodology is not inconsistent with federal law.

B. The Corporation Commission shall establish the Oklahoma Lifeline Fund charges OLF assessment and the Oklahoma Universal Service Fund charges OUSF assessment at a level sufficient to recover costs of administration and payments for OUSF and OLF requests for funding as provided for in the Oklahoma Telecommunications Act of 1997. The Commission shall provide for administration of the two funds by Commission employees or OLF and OUSF shall be provided by contracting for such services with a party having no conflicting interest in the provision of telecommunications services the Public Utility Division of the Commission. The administrative function shall be headed by an the Administrator as defined in Section 139.102 of this title. The Administrator shall be an independent evaluator. The Administrator may enter into contracts to assist with the administration of the OLF and OUSF.

C. If the Commission determines after notice and hearing that a telecommunications carrier contributing provider has acted in violation of this section, in addition to the other enforcement powers of the Commission, including its contempt powers and authority to revoke a telecommunications service provider's certificate of convenience and necessity, the Commission may bring an action on behalf of the Oklahoma Lifeline Fund OLF or the Oklahoma Universal Service Fund OUSF, in the district a court of competent jurisdiction that the Commission deems appropriate, to recover any unpaid fees and charges assessments the Commission has determined are due and payable, including interest, administrative and adjudicative costs, and attorney fees. Upon collection of the charges assessments, fees and costs, the Administrator shall pay the costs of the actions and deposit the remaining funds in the Oklahoma Lifeline Fund OLF or the Oklahoma Universal Service Fund OUSF as appropriate.
D. The monies deposited in the Oklahoma Lifeline Fund OLFL, the Oklahoma Universal Service Fund OUSF and the Oklahoma High Cost Fund shall at no time become monies of the state and shall not become part of the general budget of the Corporation Commission or any other state agency. Except as otherwise authorized by this act the Oklahoma Telecommunications Act of 1997, no monies from the Oklahoma Lifeline Fund OLFL, the Oklahoma Universal Service Fund OUSF, or the Oklahoma High Cost Fund shall be transferred for any purpose to any other state agency or any account of the Corporation Commission or be used for the purpose of contracting with any other state agency or reimbursing any other state agency for any expense. Payments from the Oklahoma Lifeline Fund OLFL, the Oklahoma Universal Service Fund OUSF, and the Oklahoma High Cost Fund shall not become or be construed to be an obligation of this state. No claims for reimbursement from the Oklahoma Lifeline Fund OLFL, the Oklahoma Universal Service Fund OUSF or the Oklahoma High Cost Fund shall be paid with state monies.

SECTION 6. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 139.109.1 of Title 17, unless there is created a duplication in numbering, reads as follows:

A. The following services are hereby declared to be Special Universal Services:

1. Each eligible healthcare entity in this state as defined in Section 139.102 of Title 17 of the Oklahoma Statutes shall be eligible to receive Special Universal Services for telemedicine providers. Special Universal Services for telemedicine providers shall include the provision of bandwidth per standards as recommended by the Federal Communications Commission sufficient for providing telemedicine services including the telemedicine line, reasonable installation and network termination equipment owned and operated by the eligible provider that is necessary to provide the eligible telemedicine service;

2. Each public school as defined in Section 139.102 of Title 17 of the Oklahoma Statutes shall be eligible to receive Special Universal Services for schools. Special Universal Services for schools shall include the E-rate Eligible Services List (ESL) for Category One services as determined by the FCC for the applicable funding year or, in the absence of such a list, as published by the Universal Services Administrative Company. In the event no ESL is available from the FCC or USAC for the applicable funding year,
eligible services will be those on the ESL for the last funding year for which an ESL was available. Special Universal Services shall include the provision of bandwidth sufficient for providing educational services not to exceed, without good cause shown, the standards established for the relevant funding year by the State Educational Technology Directors Association (SETDA) or successor educational broadband standard including Internet access lines, WAN connections, reasonable installation, and network termination equipment owned and operated by the eligible provider as defined by the ESL that is necessary to provide the eligible service. Student counts as reported to the State Department of Education in October of the year prior to the relevant funding year shall be utilized for the purpose of determining bandwidth recommendations established by SETDA for purposes of this paragraph. In the absence of standards prescribed for the applicable funding year, the standards for the next prescribed funding year shall be used. Special Universal Services shall not include voice services that use separate lines or have allocated bandwidth. The Commission may modify the service considered to be Special Universal Services pursuant to rule, after notice and hearing; and

3. Each public library as defined in Section 139.102 of Title 17 of the Oklahoma Statutes shall be eligible to receive Special Universal Services for libraries. Special Universal Services for libraries shall include the E-rate Eligible Services List ("ESL") for Category One services as determined by the Federal Communications Commission for the applicable funding year or, in the absence of such a list, as published by the Universal Services Administrative Company. In the event no ESL is available from the FCC or USAC for the applicable funding year, eligible services will be those on the ESL for the last funding year for which an ESL was available. Special Universal Services shall include the provision of bandwidth sufficient for providing library services per standards as recommended by the Federal Communications Commission including Internet access lines, reasonable installation and network termination equipment owned and operated by the eligible provider that is necessary to provide the eligible service. Special Universal Services shall not include voice services that use separate lines or have allocated bandwidth. The Commission may modify the services considered to be Special Universal Services pursuant to rule, after notice and hearing.

B. 1. Eligible services that are exempt from competitive bidding pursuant to state law or the rules of the Federal Universal Service Support Mechanisms or successor program or programs shall be
exempt from the Special Universal Services competitive bidding requirements set forth in this subsection, and the Oklahoma Universal Service Fund Beneficiary must provide evidence of such exemption as part of the funding request.

2. An OUSF Beneficiary may be eligible to receive funding from both the OUSF and other state or federal funds; however, in no instance shall there be a double recovery. The OUSF Beneficiary shall make every reasonable effort to obtain funding from another state and/or federal fund designed to support Special Universal Services. The OUSF Beneficiary shall provide the OUSF Administrator with information regarding the recipient's request for funding from government sources designed to support the provisioning of Special Universal Services, or an explanation of why such funding is not available or why the recipient of the Special Universal Services did not request such funding. Failure to provide such documentation may result in the OUSF Administrator denying in whole or in part, a request for Special Universal Services funding from the OUSF. If an OUSF Beneficiary is not eligible to receive funding from other state or federal funds per the program rules of the other state or federal funds, the OUSF Beneficiary shall be exempt from the requirement to obtain funding from another state and/or federal fund designed to support Special Universal Services set forth in this subsection. The OUSF Beneficiary must provide evidence of such exemption as part of the funding request.

3. The credit amount for the provision of Special Universal Services as provided for in subsection A of this section shall be determined as provided for in this subsection.

4. An eligible provider shall be entitled to reimbursement from the Oklahoma Universal Service Fund (OUSF) for providing Special Universal Services as described in subsection A of this section. In no case shall the reimbursement from the OUSF be made for an Internet subscriber fee or charges incurred as a result of services accessed via the Internet.

5. Oklahoma Universal Service Fund Beneficiaries shall conduct a fair and open competitive bidding process to select the services and carrier eligible for support. The competitive bidding process shall meet the following standards:

   a. the solicitation of bids shall clearly identify the bandwidth range requested by the Oklahoma Universal Service Fund Beneficiary or consortium,
b. the Oklahoma Universal Service Fund Beneficiary shall not limit bidders based upon technology.

c. the bidding shall be open to all carriers authorized to receive OUSF funding in the telephone exchange where the Oklahoma Universal Service Fund Beneficiary is located or where the members of the consortium are located, and

d. the bidding shall not be structured in a manner to exclude carriers eligible to receive OUSF funding in the telephone exchange where the Oklahoma Universal Services Fund Beneficiary is located.

6. For Special Universal Services that are competitively bid in compliance with this act, the credit amount shall be not more than twenty-five percent (25%) greater than the lowest cost reasonable qualifying bid of the total prediscounnt amount of eligible services plus installation charges, less federal funding support for the same services including installation charges issued in a funding commitment letter or similar approval document for the Federal Universal Service Support Mechanism or successor program or programs for the applicable funding year.

7. For purposes of this act, "lowest cost reasonable qualifying bid" means a bid that:

a. represents the lowest total cost proposal including monthly recurring and nonrecurring charges for eligible services,

b. is reasonable to meet the needs of the Oklahoma Universal Service Fund Beneficiary as listed in the request for bids,

c. is submitted during the same competitive bidding period as the awarded bid,

d. is for a bandwidth within the range requested for bid and selected by the Oklahoma Universal Service Fund Beneficiary,
e. is for the same contract term as the bid that was selected by the Oklahoma Universal Service Fund Beneficiary,

f. meets the requirements specified in the request for bid by the Oklahoma Universal Service Fund Beneficiary, and

g. was the result of a fair and open competitive bidding process as defined in this act.

8. If a long-term contract includes change clauses for changes in sites or services, the Oklahoma Universal Service Fund Beneficiary shall not be required to conduct a new competitive bid during the life of the original contract, which may not exceed five (5) years.

9. For eligible services associated with an Oklahoma Universal Service Fund Beneficiary that does not competitively bid in compliance with this act, the credit amount shall be determined at the discretion of the Administrator.

C. 1. Special Universal Services shall not be sold, resold or transferred in consideration for money or any other thing of value.

2. The OUSF shall not fund more than one eligible provider for the same service at the same location for the same time period, except during a transition period from one eligible provider to another. Funding during a transition period shall not exceed thirty (30) days.

D. The Administrator shall have the authority to investigate each request for OUSF funding for Special Universal Services in order to ensure that the OUSF pays only for the Special Universal Services authorized in this section. The Administrator shall deny requests for OUSF funding in excess of the credit amounts authorized in subsection B of this section unless good cause is shown.

E. The Corporation Commission shall have authority to investigate and modify or reject in whole or part a Special Universal Service request under subsection A of this section if the request does not meet the specified criteria, if the Corporation Commission's investigation determines that the entity has not provided sufficient documentation for the requested services, or if
the Corporation Commission determines that granting the request is not in the public interest due to fraud.

F. 1. The Special Universal Services preapproval and reimbursement procedures as set forth in this subsection shall be effective and shall apply for each applicable funding year beginning July 1, 2017.

2. The Oklahoma Universal Service Fund Beneficiary administrative preapproval submission process shall be as follows:

a. the Administrator shall establish an administrative approval process to be initiated by the Oklahoma Universal Service Fund Beneficiary in a timely fashion for the purpose of determining eligible services and credit amounts for the upcoming funding year. The administrative preapproval submission process shall include all necessary forms and instructions, hereinafter referred to as the "OUSF administrative preapproval request". The Administrator shall determine the form for the OUSF administrative preapproval requests. The form shall be posted on the Commission website no later than June 30 of each year to become effective for any OUSF administrative preapproval requests submitted after August 31 of that year. Any party may file an objection to the form with the Commission within fifteen (15) days of posting. The Commission shall issue a final order on the objection to the form within thirty (30) days,

b. the Administrator shall issue an approval funding letter to the Oklahoma Universal Service Fund Beneficiary and the eligible provider within ninety (90) days of receipt of a properly completed OUSF administrative preapproval request. Failure by the Administrator to issue an approval funding letter within the ninety-day period means the OUSF administrative preapproval request submitted by the Oklahoma Universal Service Fund Beneficiary is approved as submitted and the subsequent request for reimbursement submitted by the eligible provider which is consistent with the information submitted in the OUSF administrative preapproval request shall be approved as submitted,
c. the approval funding letter shall inform the Oklahoma Universal Service Fund Beneficiary of the preapproved services and associated credit amount for the applicable funding year. The amount of OUSF funding preapproved under this subsection may be subject to adjustments based on the amount of support received from other sources, if any, and adjustments to pricing that may occur between the time of preapproval and installation of service,

d. any OUSF administrative preapproval request shall be submitted to the Administrator in the format outlined in instructions posted on the Commission website. The OUSF administrative preapproval request shall include but not be limited to the following:

(1) a Special Universal Services request form as posted on the Commission website no later than June 30 of each year for requests made after August 31 of that year,

(2) a Federal Universal Service Support Mechanism or successor program or programs form used to request federal funding support for the applicable funding year,

(3) a federal funding commitment letter for the applicable funding year, if issued, and

(4) competitive bidding documentation for the relevant funding year,

e. issuance of an OUSF approval funding letter by the Administrator shall occur without a Commission order,

f. OUSF administrative preapproval requests not submitted by June 30 prior to the applicable funding year shall be processed by the Administrator on a first-in-first-out basis, and

g. after a preapproval funding letter has been issued, an OUSF Beneficiary may submit a new administrative preapproval request to provide corrections or additional information per program rules issued by the Commission.
3. The eligible provider reimbursement process shall be as follows:

a. requests for reimbursement shall be submitted per procedures as set forth in subsection D of Section 139.106 of Title 17 of the Oklahoma Statutes,

b. the Administrator shall post the monthly payout report to the Commission website,

c. funding for eligible services, including federal funding, shall not exceed actual eligible expenses,

d. any change in cost of eligible services during the funding year shall be reported by the eligible provider to the OUSF and:

(1) all decreases in cost shall be deemed approved until the next eligible bidding period and all cost savings shall be properly allocated to the OUSF and the Oklahoma Universal Service Fund Beneficiary, and

(2) increases in cost shall be reviewed for approval as provided for in Commission rules, and

e. issuance of a determination by the Administrator shall not require a Commission order.

SECTION 7. REPEALER 17 O.S. 2011, Section 139.109, as last amended by Section 2, Chapter 182, O.S.L. 2014 (17 O.S. Supp. 2015, Section 139.109), is hereby repealed.

SECTION 8. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

ENR. H. B. NO. 2616
Passed the House of Representatives the 2nd day of May, 2016.

Presiding Officer of the House of Representatives

Passed the Senate the 21st day of April, 2016.

Presiding Officer of the Senate

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this 3rd day of May, 2016, at 2:37 o'clock P.M.

By: Audrey Rockwell

Approved by the Governor of the State of Oklahoma this 9th day of May, 2016, at 1:18 o'clock P.M.

Mary Fallin
Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this 9th day of May, 2016, at 2:44 o'clock P.M.

By: Christ Baye
An Act

ENROLLED HOUSE
BILL NO. 2649

By: Thomsen of the House

and

Fields of the Senate

An Act relating to schools; amending 70 O.S. 2011, Section 1-111, as last amended by Section 1, Chapter 203, O.S.L. 2013 (70 O.S. Supp. 2015, Section 1-111), which relates to the length of the school day; adding an exception to the number of school days allowed in a twenty-four-hour period; providing an effective date; and declaring an emergency.

SUBJECT: School day

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 70 O.S. 2011, Section 1-111, as last amended by Section 1, Chapter 203, O.S.L. 2013 (70 O.S. Supp. 2015, Section 1-111), is amended to read as follows:

Section 1-111. A. Except as otherwise provided for by law, a school day shall consist of not less than six (6) hours devoted to school activities. A district board of education may elect to extend the length of one (1) or more school days to more than six (6) hours and reduce the number of school days as long as the total amount of classroom instruction time is not less than one thousand eighty (1,080) hours per year as required pursuant to Section 1-109 of this title.

B. A school day for nursery, early childhood education, kindergarten, and alternative education programs shall be as otherwise defined by law or as defined by the State Board of Education. Not except as otherwise provided for in this subsection, not more than one (1) school day shall be counted for attendance
purposes in any twenty-four-hour period. Two (2) school days, each consisting of not less than six (6) hours, may be counted for attendance purposes in any twenty-four-hour period only if one of the school days is for the purpose of parent-teacher conferences held as provided for in Section 1-109 of this title.

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

1. Criteria for student admissions eligibility;

2. A student admission process administered through the district of residence, which provides the ability for the student to enroll in individual courses;

3. A process by which students are not denied the opportunity to enroll in educationally appropriate courses by school districts. For the purposes of this section, "educationally appropriate" means any instruction that is not substantially a repeat of a course or portion of a course that the student has successfully completed, regardless of the grade of the student, and regardless of whether a course is similar to or identical to the instruction that is currently offered in the school district;

4. Creation of a system which provides ongoing enrollment access for students throughout the school year;

5. A grace period of fifteen (15) calendar days from the first day of an online course for student withdrawal from an online course without academic penalty;

6. Mastery of competencies for course completion rather than Carnegie units;

7. Student participation in extracurricular activities in accordance with school district eligibility rules and policies and any rules and policies of a private organization or association.
which provides the coordination, supervision, and regulation of the interscholastic activities and contests of schools;

8. Parent authorization for release of state test results to online course providers, on a form developed by the State Department of Education; and

9. A review process to identify and certify online course providers and a uniform payment processing system.

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

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

F. The school day for kindergarten may consist of six (6) hours devoted to school activities.

SECTION 2. This act shall become effective July 1, 2016.

SECTION 3. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.
Passed the House of Representatives the 23rd day of February, 2016.

[Signature]  
Presiding Officer of the House of Representatives

Passed the Senate the 14th day of April, 2016.

[Signature]  
Presiding Officer of the Senate

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this 18th day of April, 2016, at 3:12 o'clock P.M.

By: [Signature]  
Audrey Rosewell

Approved by the Governor of the State of Oklahoma this 21st day of April, 2016, at 9:45 o'clock A.M.

[Signature]  
Mary Fallin  
Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this 21st day of April, 2016, at 11:13 o'clock A.M.

By: [Signature]  
Cheryl Berger
An Act relating to charter schools; amending 70 O.S. 2011, Section 3-132, as last amended by Section 1, Chapter 170, O.S.L. 2015 (70 O.S. Supp. 2015, Section 3-132), which relates to the Oklahoma Charter Schools Act; modifying definition; requiring the board of education to comply with certain provisions prior to converting a school; requiring documents to be in writing and subject to the Oklahoma Open Records Act; requiring all votes of a board relating to converting a school to be in open session; requiring certain notification; requiring a conversion charter school to comply with certain accountability measures; requiring conversion charter schools to comply with certain student enrollment requirements; providing for funding; amending 70 O.S. 2011, Section 5-117, as last amended by Section 1, Chapter 166, O.S.L. 2015 (70 O.S. Supp. 2015, Section 5-117), which relates to the powers and duties of boards of education of school districts; modifying certain powers; providing an effective date; and declaring an emergency.

SUBJECT: Charter schools

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 70 O.S. 2011, Section 3-132, as last amended by Section 1, Chapter 170, O.S.L. 2015 (70 O.S. Supp. 2015, Section 3-132), is amended to read as follows:
Section 3-132. A. The Oklahoma Charter Schools Act shall apply only to charter schools formed and operated under the provisions of the act. Charter schools shall be sponsored only as follows:

1. By any school district located in the State of Oklahoma, provided such charter school shall only be located within the geographical boundaries of the sponsoring district and subject to the restrictions of Section 3-145.6 of this title;

2. By a technology center school district if the charter school is located in a school district served by the technology center school district in which all or part of the school district is located in a county having more than five hundred thousand (500,000) population according to the latest Federal Decennial Census;

3. By a technology center school district if the charter school is located in a school district served by the technology center school district and the school district has a school site that has been identified as in need of improvement by the State Board of Education pursuant to the Elementary and Secondary Education Act of 1965, as amended or reauthorized;

4. By an accredited comprehensive or regional institution that is a member of The Oklahoma State System of Higher Education or a community college if the charter school is located in a school district in which all or part of the school district is located in a county having more than five hundred thousand (500,000) population according to the latest Federal Decennial Census;

5. By a comprehensive or regional institution that is a member of The Oklahoma State System of Higher Education if the charter school is located in a school district that has a school site that has been identified as in need of improvement by the State Board of Education pursuant to the Elementary and Secondary Education Act of 1965, as amended or reauthorized. In addition, the institution shall have a teacher education program accredited by the Oklahoma Commission for Teacher Preparation and have a branch campus or constituent agency physically located within the school district in which the charter school is located in the State of Oklahoma;

6. By a federally recognized Indian tribe, operating a high school under the authority of the Bureau of Indian Affairs as of November 1, 2010, if the charter school is for the purpose of demonstrating native language immersion instruction, and is located within its former reservation or treaty area boundaries. For
purposes of this paragraph, native language immersion instruction shall require that educational instruction and other activities conducted at the school site are primarily conducted in the native language;

7. By the State Board of Education when the applicant of the charter school is the Office of Juvenile Affairs or the applicant has a contract with the Office of Juvenile Affairs to provide a fixed rate level E, D, or D+ group home service and the charter school is for the purpose of providing education services to youth in the custody or supervision of the state. Not more than two charter schools shall be sponsored by the Board as provided for in this paragraph during the period of time beginning July 1, 2010, through July 1, 2016; or

8. By the State Board of Education when the applicant has first been denied a charter by the local school district in which it seeks to operate. In counties with fewer than five hundred thousand (500,000) population, according to the latest Federal Decennial Census, the State Board of Education shall not sponsor more than five charter schools per year each year for the first five (5) years after the effective date of this act, with not more than one charter school sponsored in a single school district per year. In order to authorize a charter school under this section, the State Board of Education shall find evidence of all of the following:

a. a thorough and high-quality charter school application from the applicant based on the authorizing standards in subsection B of Section 3-134 of this title,

b. a clear demonstration of community support for the charter school, and

c. the grounds and basis of objection by the school district for denying the operation of the charter are not supported by the greater weight of evidence and the strength of the application.

B. An eligible non-school-district sponsor shall give priority to opening charter schools that serve at-risk student populations or students from low-performing traditional public schools.

C. An eligible non-school-district sponsor shall give priority to applicants that have demonstrated a record of operating at least one school or similar program that demonstrates academic success and
organizational viability and serves student populations similar to those the proposed charter school seeks to serve. In assessing the potential for quality replication of a charter school, a sponsor shall consider the following factors before approving a new site or school:

1. Evidence of a strong and reliable record of academic success based primarily on student performance data, as well as other viable indicators, including financial and operational success;

2. A sound, detailed, and well-supported growth plan;

3. Evidence of the ability to transfer successful practices to a potentially different context that includes reproducing critical cultural, organizational and instructional characteristics;

4. Any management organization involved in a potential replication is fully vetted, and the academic, financial and operational records of the schools it operates are found to be satisfactory;

5. Evidence the program seeking to be replicated has the capacity to do so successfully without diminishing or putting at risk its current operations; and

6. A financial structure that ensures that funds attributable to each charter school within a network and required by law to be utilized by a school remain with and are used to benefit that school.

D. For purposes of the Oklahoma Charter Schools Act, "charter school" means a public school established by contract with a board of education of a school district, a conversion charter school, an area vocational-technical school district, a higher education institution, a federally recognized Indian tribe, or the State Board of Education pursuant to the Oklahoma Charter Schools Act to provide learning that will improve student achievement and as defined in the Elementary and Secondary Education Act of 1965, 20 U.S.C. 8065.

E. 1. For the purposes of the Oklahoma Charter Schools Act, "conversion charter school" means a charter school created by converting all or any part of a traditional public school into a in order to access any or all flexibilities afforded to a charter school which may be operated by the school district board of

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education or by an independent operating board elected by and accountable to the school district board of education.

2. Prior to the board of education of a school district converting all or any part of a traditional public school to a conversion school, the board shall prepare a conversion plan. The conversion plan shall include documentation that demonstrates and complies with paragraphs 1, 2, 6, 7, 8, 9, 10, 13, 14, 15, 16, 17, 19, 20, 21, 22, 23, 24, 34 and 35 of subsection B of Section 3-134 of this title. The conversion plan and all documents shall be in writing and shall be available to the public pursuant to the requirements of the Oklahoma Open Records Act. All votes by the board of education of a school district to approve a conversion plan shall be held in an open public session. If the board of education of a school district votes to approve a conversion plan, the board shall notify the State Board of Education within sixty (60) days after the vote. The notification shall include a copy of the minutes for the board meeting at which the conversion plan was approved.

3. A conversion school shall comply with all the same accountability measures as are required of a charter school as defined in subsection D of this section. The provisions of Sections 3-140 and 3-142 of this title shall not apply to a conversion school. Conversion schools shall comply with the same laws and State Board of Education rules relating to student enrollment which apply to traditional public schools. Conversion schools shall be funded by the board of education of the school district as a school site within the school district and funding shall not be affected by the conversion of the school.

4. The board of education of a school district may vote to revert a conversion school back to a traditional public school at any time; provided, the change shall only occur during a break between school years.

5. Unless otherwise provided for in this subsection, a conversion school shall retain the characteristics of a traditional public school.

F. A charter school may consist of a new school site, new school sites or all or any portion of an existing school site. An entire school district may not become a charter school site.
SECTION 2. AMENDATORY 70 O.S. 2011, Section 5-117, as
last amended by Section 1, Chapter 166, O.S.L. 2015 (70 O.S. Supp.
2015, Section 5-117), is amended to read as follows:

Section 5-117. A. The board of education of each school
district shall have power to:

1. Elect its own officers; provided that the chair of the board
authorized in Section 5-107B of this title shall be elected by the
electors of the school district;

2. Make rules, not inconsistent with the law or rules of the
State Board of Education, governing the board and the school system
of the district, including converting all or part of a traditional
public school to a conversion school;

3. Maintain and operate a complete public school system of such
character as the board of education shall deem best suited to the
needs of the school district;

4. Designate the schools to be attended by the children of the
district;

5. Provide and operate, when deemed advisable, cafeterias or
other eating accommodations, thrift banks or other facilities for
the teaching and practice of thrift and economy, bookstores, print
shops, and vocational and other shops;

6. Provide informational material concerning school bond
elections and millage elections, including but not limited to all
pertinent financial information relative to the bond issue, a
statement of revenue sources necessary to retire proposed bonds, a
statement of current bonded indebtedness of the school district, and
a statement of proposed use of funds to be generated by the proposed
bond issue. The informational material shall not contain the words
"vote yes" or "vote no" or any similar words or statement any place
on such informational material;

7. Purchase, construct or rent, and operate and maintain,
classrooms, libraries, auditoriums, gymnasiums, stadiums, recreation
places and playgrounds, teacherages, school bus garages,
laboratories, administration buildings, and other schoolhouses and
school buildings, and acquire sites and equipment therefor for the
operation of public schools or conversion schools;
8.  a. Insure the school district or its employees against any loss, damage or liability as defined by Sections 702 through 708 of Title 36 of the Oklahoma Statutes, or other forms of insurance provided for in Title 36 of the Oklahoma Statutes.

b. Subject to the restrictions of liability in the Governmental Tort Claims Act:

(1) insure the school district against all or any part of any liability it may incur for death, injury or disability of any person, or for damage to property, either real or personal,

(2) insure any employee of the school district against all or any part of the employee's liability for injury or damage resulting from an act or omission in the scope of employment, or

(3) insure against the expense of defending a claim against the school district or its employee, whether or not liability exists on such claim.

c. As used in this subsection, "employee" means any person who has acted in behalf of a school district, whether that person is acting on a permanent or temporary basis with or without being compensated or on a full-time or part-time basis. Employee also includes all elected or appointed officers, members of governing bodies of a school district, and persons appointed, and other persons designated by a school district to act in its behalf.

d. The cost or premium of any such insurance is a proper expenditure of the school district.

e. Any insurance authorized by law to be purchased, obtained or provided by a school district may be provided by:

(1) self-insurance, which may be, but is not required to be, funded by appropriations to establish or maintain reserves for self-insurance purposes. Any self-insurance reserve fund shall be nonfiscal and shall not be considered in
computing any levy when the school district makes its annual estimate for needed appropriations,

(2) insurance in any insurer authorized to transact insurance in this state,

(3) insurance secured in accordance with any other method provided by law, or

(4) any combination of insurance authorized by this section.

f. Two or more school districts or public agencies, by interlocal agreement made pursuant to the Interlocal Cooperation Act, may provide insurance for any purpose by any one or more of the methods specified in this section. The pooling of self-insured reserves, claims or losses among governments as authorized in this section shall not be construed to be transacting insurance nor otherwise subject to the provisions of the laws of this state regulating insurance or insurance companies, except as to the provisions of Section 607.1 of Title 36 of the Oklahoma Statutes. Two or more school districts may also be insured under a master policy or contract of insurance. Premium costs may be set individually for each school district or apportioned among participating school districts as provided by the master policy or contract;

9. Acquire property by condemnation proceedings in the same manner as land is condemned for railroad purposes. School district funds may be used to erect buildings on leased land on which other buildings have been erected prior to April 3, 1969, or on land which is leased from a governmental entity;

10. Lease real or personal property to the state or any political subdivision thereof or a not-for-profit entity operating pursuant to Section 868 of Title 18 of the Oklahoma Statutes for nominal cash consideration for so long as the use of the property by the lessee substantially benefits, in whole or in part, the same public served by the school district;

11. Dispose of personal or real property no longer needed by the district by sale, exchange, lease, lease-purchase, sale and partial lease back, or otherwise. Real property shall be conveyed
pursuant to a public sale, public bid, or private sale; provided however, unless otherwise prohibited by law, the board of education of a consolidated or annexed school district or any other school district may convey real property to a local political subdivision or to an educational institution within The Oklahoma State System of Higher Education without consideration. Prior to the sale of any real property, the board of education shall have the real property appraised. The appraisal shall be confidential until the real property is sold. When the real property is sold, the board of education shall make the appraisal available for public inspection. Prior to the conveyance of any real property by private sale, the board of education shall have offered the real property for sale by public sale or public bid. Any conveyance of real property by private sale to a nonprofit organization, association, or corporation to be used for public purposes, unless for exchange, shall contain a reversionary clause which returns the real property to the board of education upon the cessation of the use without profit or for public purposes by the purchaser or the assigns of the purchaser;

12. Purchase necessary property, equipment, furniture, and supplies necessary to maintain and operate an adequate school system;

13. Incur all expenses, within the limitations provided for by law, necessary to perform all powers granted by the provisions of this section;

14. Contract with and fix the duties and compensation of physicians, dentists, optometrists, nurses, attorneys, superintendents, principals, teachers, bus drivers, janitors, and other necessary employees of the district;

15. Establish a written policy for reimbursement of necessary travel expenses of employees and members of the board. The policy may include in-district travel from the site of employment assignment which is necessary in the performance of employment duties. The written policy shall specify procedures, contain documentation requirements, and may include payment of meal expenses during authorized travel on a per diem allowance basis rather than itemized documentation;

16. Pay necessary travel expenses and other related expenses of prospective employees for sponsored visits to the school district pursuant to a written policy specifying procedures containing
documentation requirements equal to or greater than the requirements specified by law for state employees in the State Travel Reimbursement Act;

17. Provide for employees' leaves of absence without pay;

18. Exercise sole control over all the schools and property of the district, subject to other provisions of the Oklahoma School Code;

19. Allow district-owned school buses to be used for transportation of students from other districts or educational institutions while within the district on educational tours. This shall not restrict the authority of the board to authorize any other use of such buses which may now be permitted by law or rule of the State Board of Education;

20. Enter into contractual agreements with the board of trustees of a multicounty library system, as defined in Section 4-103 of Title 65 of the Oklahoma Statutes, a city-county library commission, as defined in Section 152 of Title 65 of the Oklahoma Statutes, or a rural single county library system, as defined in Section 1-104 of Title 65 of the Oklahoma Statutes, on such terms as may be mutually agreed, except no district board of education may enter into any agreement under which the library services for the school would be provided at any site other than the school site or which would result in library services that do not meet accreditation standards as required by law or rule;

21. Perform all functions necessary to the administration of a school district in Oklahoma as specified in the Oklahoma School Code, and in addition thereto, those powers necessarily implied but not delegated by law to any other agency or official;

22. Prepare and distribute at the expense of the school district any and all material which has the purpose of informing the public about district activities;

23. Solicit and accept any gift, grant, or donation of money or property for the use of the school district. Any gift, grant, or donation of money may be deposited in the general fund or building fund of the school district; and

24. Pay necessary meal and lodging expenses of school district students and sponsors involved in authorized school-sponsored
cocurricular activities. The board of education shall establish a written policy for reimbursement of necessary meal and lodging expenses of school district students and sponsors. The written policy shall specify procedures, contain documentation requirements, and designate the funds from which reimbursement may be made. Reimbursement may be made from the General Fund.

B. The board of education of any school district may rent real and personal property, if such items are necessary for the operation of the school, and pay the rental charges for the usage during any fiscal year, or portion thereof, out of appropriations made and approved for current expense purposes during the fiscal year. Any rental contract extending beyond June 30 of the fiscal year shall be void unless it contains provisions for mutual ratification of renewal pursuant to the conditions provided for in this subsection. It is the intent of this subsection to authorize boards of education to enter into lease contracts but not to incur any obligation against the school district in excess of the income and revenue provided for such purposes for the fiscal year in which the lease contract is operative. Any lease or lease-purchase agreement entered into by any board of education shall state the purchase price of real or personal property so leased. The lease or lease-purchase shall not be extended so as to cause payment of more than the original purchase price of the real or personal property, plus interest not to exceed the legal rate. When the purchase price plus interest has been paid, the property shall belong to the lessee and the lessor shall deliver a deed or bill of sale to the property to the lessee. When any real or personal property has been leased or rented during any fiscal year pursuant to the provisions of any contract which permits continuance of the rental for the remainder of the fiscal year, the renting or leasing of the property shall be continued for the remainder of the fiscal year unless the board of education renting or leasing the same certifies by proper resolution entered in the minutes of the board of education that the continuance of the rental is unnecessary and contrary to the public interest. Any lease-purchase agreement entered into shall include the right of a school district to acquire buildings, equipment or other facilities or discrete components thereof or improve school sites through a lease-purchase agreement. A school district may use proceeds derived from the sale of bonds as authorized by Section 26 of Article X of the Oklahoma Constitution to make lease-purchase payments, including interest, under a lease-purchase agreement. For purposes of this subsection, the term "acquired" as used in Section 26 of Article X of the Oklahoma Constitution shall mean the
C. The boards of education of two or more school districts may enter into cooperative agreements and maintain joint programs including, but not limited to, courses of instruction for handicapped children, courses of instruction in music and other subjects, practical instruction for trades and vocations, practical instruction in driver training courses, and health programs including visual care by persons legally licensed for such purpose, without favoritism as to either profession. The revenues necessary to operate a joint program approved in cooperative agreements, whether from federal, state or local sources, including the individual contributions of participating school districts, shall be deposited into a fund separate from all other appropriated funds. The beginning fund balance each year, combined with all actual revenues, including collected and estimated revenues, must be appropriated before being expended. Purchase orders shall be issued against available appropriations and, once goods or services have been received, either payable or nonpayable warrants shall be issued in payment of all purchase orders. The fund shall be reported as a separate appropriated fund in all the financial reports of the school district which is chosen by the other school districts to keep the accounting records of the joint program.

D. The boards of education of two or more school districts may enter into a mutual contract or separate contracts with a superintendent, administrator, or teacher or with a person to provide support services, to serve as superintendent, administrator, or teacher, as appropriately qualified, or to provide support services, for each contracting district upon such terms and conditions as the parties may agree. Nothing in this act shall be construed to authorize or require annexation or consolidation of any school districts or the closing of any school site except pursuant to law as set forth in Section 7-101 et seq. of this title.

E. Any school district may operate or maintain a school or schools on any military reservation which is within the boundaries of the school district or which is adjacent to the school district, and provide the instruction in the school or schools to children of personnel on the military reservation and, in doing so, shall conform to all federal laws and requirements.

F. The board of education of each school district shall adopt and maintain on file in the office of the superintendent of schools
appropriate personnel policy and sick leave guide. The guide shall be made available to the public.

G. The board of education of any school district with an average daily membership of thirty thousand (30,000) or more and all or part of which school district is located in a county having more than five hundred thousand (500,000) population according to the latest Federal Decennial Census may contract with a public or private nonsectarian entity for that entity to provide educational and administrative services for the school district. The educational services provided by a contracting entity may include but are not limited to the delivery of instructional service in core and noncore academic subjects to the students enrolled in the school district at one or more school sites or parts of sites within the district pursuant to the terms of an educational services contract. All educational service providers and their employees and representatives and all educational and administrative services provided under an educational services contract shall be exempt from all statutes and rules relating to schools, boards of education and school districts to the same extent that a charter school is exempt under the Oklahoma Charter Schools Act. For all purposes, including but not limited to attendance, funding from all sources and accountability, all students who are provided services by a contracting entity pursuant to an educational services contract shall at all times be and remain students of the school district.

SECTION 3. This act shall become effective July 1, 2016.

SECTION 4. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.
Passed the House of Representatives the 8th day of March, 2016.

[Signature]
Presiding Officer of the House of Representatives

Passed the Senate the 5th day of April, 2016.

[Signature]
Presiding Officer of the Senate

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this 5th day of April, 2016, at 5:18 o'clock P.M.

By: [Signature]
Audrey Rockwell

Approved by the Governor of the State of Oklahoma this 11th day of April, 2016, at 4:25 o'clock P.M.

[Signature]
Mary Fallin
Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this 11th day of April, 2016, at 5:05 o'clock P.M.

By: [Signature]

ENR. H. B. NO. 2720
An Act

ENROLLED HOUSE
BILL NO. 2784

By: Strohm of the House

and

Stanislawski of the Senate

An Act relating to schools; amending 70 O.S. 2011, Section 24-114, which relates to student records; deleting requirement to prepare and file duplicate copies of certain student records; deleting requirement to file and permanently retain original copies of student records; directing school districts to compile, maintain and regulate student records in certain manner; authorizing school districts to store records in electronic or paper format; requiring student transcripts to be maintained for certain time period; defining transcript; requiring disposal of certain records within certain time period after graduation, transfer or withdrawal of a student; requiring the State Board of Education to promulgate certain rules regarding notification; providing an effective date; and declaring an emergency.

SUBJECT: Student records

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 70 O.S. 2011, Section 24-114, is amended to read as follows:

Section 24-114. A. The governing board of education of each school district in Oklahoma shall require every public school within its jurisdiction to prepare duplicate copies of individual scholastic and other permanent records relating to each pupil enrolled. The duplicate of said records shall be filed in a building separate and apart from the building where the original
copy is filed or shall be filed in a fireproof vault designed for the purpose of protecting permanent records. The original copy of said records shall be filed and permanently retained by the respective public schools of this state compile and maintain both temporary and permanent records of students enrolled in the district and regulate access, disclosure or communication of information contained in the student records in a manner consistent with state and federal law.

B. School districts may store all documents and information in student records either electronically or in paper format. Records shall be stored, backed up and secured in accordance with standards and protocol developed by the State Board of Education.

C. The transcript of a student shall be maintained by the school district for not less than eighty (80) years following the graduation, transfer or withdrawal from the district of the student. For purposes of this subsection, "transcript" means the permanent academic record of a student and shall include the name, address, telephone listing and date and place of birth of the student, an inventory of courses taken, all grades received, grade-point averages or class rank, all academic and extracurricular honors and awards received, all degrees conferred and extracurricular or after-school activities.

D. Except for the transcript records as defined in subsection C of this section, school districts shall dispose of information in a student record at a time selected by the district that is between five (5) years and seven (7) years after the student has graduated, transferred or withdrawn from the district. The State Board of Education shall promulgate rules regarding notification to parents or guardians of a student or the student if he or she is eighteen (18) years of age or older of destruction of the records.

SECTION 2. This act shall become effective July 1, 2016.

SECTION 3. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.
Passed the House of Representatives the 16th day of May, 2016.

[Signature]
Presiding Officer of the House of Representatives

Passed the Senate the 19th day of April, 2016.

[Signature]
Presiding Officer of the Senate

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this 17th day of May, 2016, at 10:24 o'clock A.M.

By: [Signature]
Audrey Lockwell

Approved by the Governor of the State of Oklahoma this 20th day of May, 2016, at 11:34 o'clock A.M.

[Signature]
Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this 20th day of May, 2016, at 3:32 o'clock P.M.

By: [Signature]
Chris Ringe
An Act

ENROLLED HOUSE
BILL NO. 2797

By: Coody (Ann), Billy, Peterson, Strohm, Kern, Bennett, Christian, Ritze, Moore, Johnson, Lepak and Faught of the House

and

Griffin, Loveless and Brooks of the Senate

An Act relating to schools; creating the Humanity of the Unborn Child Act; requiring State Department of Health to develop and maintain certain electronic form; requiring Department to develop certain materials; requiring State Department of Education to establish certain program; creating certain revolving fund; requiring funds to be expended by State Board of Education for certain purpose; providing for codification; and providing an effective date.

SUBJECT: Humanity of the Unborn Child Act

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 1-751 of Title 63, unless there is created a duplication in numbering, reads as follows:

This act shall be known and may be cited as the "Humanity of the Unborn Child Act".

SECTION 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 1-752 of Title 63, unless there is created a duplication in numbering, reads as follows:
A. Contingent on the availability of funds being appropriated by the Legislature specifically for this purpose, the State Department of Health shall develop, update annually and maintain an electronic form containing information concerning public and private agencies and services available to assist a woman through pregnancy, upon childbirth and while the child is dependent, which shall include a comprehensive list of the agencies available, including adoption agencies, a description of the services they offer and a description of the manner, including telephone numbers and email addresses, by which they might be contacted. The Department shall index this form geographically and shall make it readily accessible on the Department's website. The website shall include the following statement:

"There are many public and private agencies willing and able to help you carry your child to term and assist you and your child after your child is born, whether you choose to keep your child or to place him or her for adoption. The State of Oklahoma strongly urges you to contact them if you are pregnant."

B. The statement required by subsection A of this section shall include the hyperlink to the section of the Department's Internet website containing the information required by subsection A of this section and shall be made available in a downloadable format appropriate for display.

C. On or before January 1, 2018, the Department shall make available to each facility in this state which is open to the public containing a restroom available to the public, and licensed by the State Department of Health, signage which is to be posted in its restroom containing the statement and the website address to obtain the information provided by subsection A of this section.

D. The State Board of Health shall promulgate rules to implement the provisions of this section.

SECTION 3. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 1-753 of Title 63, unless there is created a duplication in numbering, reads as follows:

Contingent on the availability of funds being appropriated by the Legislature specifically for this purpose, the State Department of Health shall:
1. Develop and make available materials designed to provide accurate, scientifically verifiable information concerning the probable anatomical and physiological characteristics of the unborn child at two-week gestational intervals. The Department may utilize as a resource the material dealing with characteristics of the unborn child created pursuant to Section 1-738.3 of Title 63 of the Oklahoma Statutes and as located on the website www.awomansright.org under the link "Characteristics of the Unborn Child";

2. Develop and distribute educational and informational materials to provide public information through public service announcements, media and otherwise for the purpose of achieving an abortion-free society. Such materials shall be developed from the most readily available, accurate and up-to-date information and shall clearly and consistently teach that abortion kills a living human being. All efforts by the Department in this regard shall be reported annually to the Chair and Vice Chair of the Senate Health and Human Services Committee and the House Public Health Committee;

3. Provide technical assistance to help community-based organizations in the planning and implementation of abortion prevention, alternatives to abortion referral and education programs regarding the humanity of the unborn child;

4. Provide outreach, consultation, training and alternatives to abortion referral services to schools, organizations and members of the community;

5. Distribute educational and informational material concerning maternal behavior during pregnancy which is helpful to a human child in utero, including avoidance of tobacco, alcohol and other drugs; proper nutrition and prenatal vitamins; and utilization of and resources available for prenatal medical and wellness care; and

6. Recommend to the State Department of Education scientifically verifiable information concerning the unborn child in the educational standards of science, family and consumer sciences and health classes.

SECTION 4. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 1-754 of Title 63, unless there is created a duplication in numbering, reads as follows:

Contingent on the availability of funds being appropriated by the Legislature specifically for this purpose and pursuant to
Section 5 of this act, the State Department of Education, in collaboration with the State Department of Health, shall establish an instructional program for students consistent with the provisions of the Humanity of the Unborn Child Act. Local school boards may choose to implement the instructional program established by the State Department of Health and the State Department of Education consistent with the provisions of the Humanity of the Unborn Child Act. For school districts choosing to implement the instructional program, the content of instruction used by local schools to teach the humanity of the unborn child shall be at the discretion of the local school board; provided, the instructional program shall:

1. Provide accurate, scientifically verifiable information concerning the probable anatomical and physiological characteristics of the unborn child at two-week gestational intervals. The State Department of Education may utilize as a resource the material dealing with characteristics of the unborn child created pursuant to Section 1-738.3 of Title 63 of the Oklahoma Statutes and as located on the website www.awomansright.org under the link "Characteristics of the Unborn Child";

2. Include information on accessing prenatal health care; provided, no program or state employee may refer any student to a medical facility or any provider for the performance of an abortion;

3. Include no component of human sexuality education other than those included in science education standards; and

4. Comply with the provisions of the Parents' Bill of Rights, Section 2001 et seq. of Title 25 of the Oklahoma Statutes.

SECTION 5. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 1-755 of Title 63, unless there is created a duplication in numbering, reads as follows:

There is hereby created in the State Treasury a revolving fund for the State Board of Education to be designated as the "Public Education on the Humanity of the Unborn Child Fund". The fund shall be a continuing fund, not subject to fiscal year limitations, and shall consist of all monies deposited to the credit of the fund by law. All monies accruing to the credit of said fund shall be budgeted and expended by the Board for the establishment of the instruction programs established in Section 4 of this act. Expenditures from said fund shall be made upon warrants issued by the State Treasurer against claims filed as prescribed by law with
the Director of the Office of Management and Enterprise Services for approval and payment.

SECTION 6. This act shall become effective November 1, 2016.
Passed the House of Representatives the 19th day of May, 2016.

Presiding Officer of the House
of Representatives

Passed the Senate the 24th day of May, 2016.

Presiding Officer of the Senate

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this ________________
day of ________________, 20______, at _____ o'clock _____ M.
By: ______________________________________

Approved by the Governor of the State of Oklahoma this _______
day of ________________, 20______, at _____ o'clock _____ M.

________________________
Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this _______
day of ________________, 20______, at _____ o'clock _____ M.
By: ______________________________________
An Act relating to school safety; amending 70 O.S. 2011, Section 5-148, which relates to lockdown drills; changing reference to type and number of certain drills; requiring one security drill to be conducted within certain time frame; amending Section 1, Chapter 53, O.S.L. 2013, as amended by Section 1, Chapter 45, O.S.L. 2014 (70 O.S. Supp. 2015, Section 5-149), which relates to required safety drills; changing reference to type and number of certain drills; removing language related to required intruder drills; removing language related to the extent of required student involvement in certain drills; updating reference to certain institute; providing an effective date; and declaring an emergency.

SUBJECT: School safety

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 70 O.S. 2011, Section 5-148, is amended to read as follows:

Section 5-148. Each district board of education shall ensure that a minimum of two lockdown four security drills are conducted at each public school within the district each school year. No lockdown security drill shall be conducted at the same time of day as a previous lockdown security drill conducted in the same school year, and no more than two lockdown security drills shall be conducted in one semester. One security drill shall be conducted
within the first fifteen (15) days of each semester. Additional drills may be conducted at the discretion of the district. **Lockdown** Security drills shall be conducted for the purpose of securing school buildings to prevent or mitigate injuries or deaths that may result from a threat on around or near in the school. The drills shall conform to the written plans and procedures adopted by the district as required by Section 681 of Title 63 of the Oklahoma Statutes. All students and employees shall participate in the drills, with the extent of student involvement to be determined by the district.

The State Board of Education shall adopt rules to implement the provisions of this section.

SECTION 2. AMENDATORY Section 1, Chapter 53, O.S.L. 2013, as amended by Section 1, Chapter 45, O.S.L. 2014 (70 O.S. Supp. 2015, Section 5-149), is amended to read as follows:

Section 5-149. A. In addition to the two lockdown four security drills required pursuant to Section 5-148 of this title, all public schools shall conduct a minimum of eight six safety drills as follows:

1. Two fire drills per school year. Each fire drill shall be conducted within the first fifteen (15) days of each semester. The fire drills shall include the sounding of a distinctive audible signal designated as the fire alarm signal;

2. Two intruder drills per school year. Intruder drills are conducted for the purpose of mitigating injuries or deaths by executing a plan as an alternative to the lockdown method. Each intruder drill shall be conducted within the first fifteen (15) days of each semester;

3. Two tornado drills per school year with at least one drill being conducted in the months of September and March; and

4. The principal and superintendent of a public school district shall utilize the remaining required safety drills in any manner provided in this section or Section 5-148 of this title or by developing a drill that is consistent with the risks assessed for the appropriate facility or any recommendations submitted by the Safe School Committee as authorized pursuant to Section 24-100.5 of this title or any assisting fire or law enforcement department.
B. It shall be the duty of the principal, under the direction of the superintendent of the school district, to conform to the written plans and procedures adopted by the district as required by Section 681 of Title 63 of the Oklahoma Statutes. All students and teachers at the public schools shall participate, provided, however, that the extent of student involvement required in paragraph 2 of subsection A of this section be determined by the district.

C. Each public school district shall document each fire drill in writing by public school site. The records for each fire drill shall be preserved for at least three (3) years and made available to the State Fire Marshal or the marshal's agent upon request. In addition to the fire drill documentation provided in this subsection, the school district shall document all other safety drills in writing and by school site with a copy of the report remaining at the school, a copy filed with the district administrative office and a copy with the Oklahoma School Security Institute for School Security Resources as created by the Oklahoma Office of Homeland Security.

SECTION 3. This act shall become effective July 1, 2016.

SECTION 4. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.
Passed the House of Representatives the 5th day of May, 2016.

[Signature]
Presiding Officer of the House
of Representatives

Passed the Senate the 18th day of April, 2016.

[Signature]
Presiding Officer of the Senate

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this 9th day of May, 2016, at 2:41 o'clock PM.

By: [Signature]

Approved by the Governor of the State of Oklahoma this 11th day of May, 2016, at 3:50 o'clock PM.

[Signature]
Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this 11th day of May, 2016, at 4:59 o'clock PM.

By: [Signature]

ENR. H. B. NO. 2931
An Act

ENROLLED HOUSE
BILL NO. 2946

By: Henke, Cockroft and Lepak of the House

and

Smalley of the Senate

An Act relating to schools; amending 70 O.S. 2011, Section 6-190, as last amended by Section 1, Chapter 137, O.S.L. 2015 (70 O.S. Supp. 2015, Section 6-190), which relates to teacher certification; requiring the State Board of Education to issue a certificate to teach to persons holding an out-of-country certificate or who complete certain examination; adding out-of-country certificates to certain requirements; deleting certain teaching experience requirement; directing the Board to promulgate rules for processing out-of-country certificates; limiting areas of certification for persons completing a certain examination; requiring certain persons to have certain criminal history record checks on file; providing for a temporary certificate; stating responsibility for costs; amending Section 3, Chapter 394, O.S.L. 2013 (70 O.S. Supp. 2015, Section 18-114.14), which relates to the minimum teacher salary schedule; directing the Board to accept certain out-of-country teaching experience; establishing process for analyzing certain out-of-country certification documentation; stating responsibilities for costs; directing the Board to accept teaching experience from certain primary and secondary schools; adding out-of-country certification to teaching credit limitation; providing an effective date; and declaring an emergency.

SUBJECT: Teacher certification

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:
SECTION 1. AMENDATORY 70 O.S. 2011, Section 6-190, as last amended by Section 1, Chapter 137, O.S.L. 2015 (70 O.S. Supp. 2015, Section 6-190), is amended to read as follows:

Section 6-190. A. The board of education of each school district shall employ and contract in writing, as required in Section 6-101 of this title, only with persons certified to teach by the State Board of Education in accordance with the Oklahoma Teacher Preparation Act, except as otherwise provided for by Section 6-101 of this title and by other law.

B. The Board shall issue a certificate to teach to any person who:

1. Has successfully completed the teacher education program required by the Oklahoma Commission for Teacher Preparation;

2. Has graduated from an accredited institution of higher education that has approval or accreditation for teacher education;

3. Has met all other requirements as may be established by the Board;

4. Has made the necessary application and paid the competency examination fee in an amount and as prescribed by the Commission;

5. Has successfully completed the competency examination required in Section 6-187 of this title; and

6. Beginning November 1, 2001, has on file with the Board a current Oklahoma criminal history record from the Oklahoma State Bureau of Investigation as well as a national criminal history record check as defined in Section 150.9 of Title 74 of the Oklahoma Statutes. Upon receipt of the Oklahoma criminal history record, the Board may issue a temporary certificate which shall be effective until receipt of the national fingerprint-based criminal history record. The person applying for a certificate shall be responsible for the cost of the criminal history records.

C. The Board shall issue a certificate to teach to any person who:

1. Holds an out-of-state certificate and meets the requirements set forth in subsection F of this section; and

ENR. H. B. NO. 2946
2. Holds certification from the National Board for Professional Teaching Standards;

3. Holds an out-of-country certificate and meets the requirements set forth in subsection P of this section; or

4. Has successfully completed a competency examination used in the majority of other states or comparable customized exam and meets the requirements set forth in subsection G of this section.

D. Beginning July 1, 2004, any person applying for initial Oklahoma certification shall have on file with the Board a current Oklahoma criminal history record from the Oklahoma State Bureau of Investigation as well as a national criminal history record check as defined in Section 150.9 of Title 74 of the Oklahoma Statutes. Upon receipt of the Oklahoma criminal history record, the Board may issue a temporary certificate which shall be effective until receipt of the national fingerprint-based criminal history record. The person applying for a certificate shall be responsible for the cost of the criminal history records.

E. Any person holding a valid certificate, issued prior to January 1, 1997, shall be a certified teacher for purposes of the Oklahoma Teacher Preparation Act, subject to any professional development requirements prescribed by the Oklahoma Teacher Preparation Act or by the State Board of Education.

F. 1. The Board shall issue a certificate to teach to a person who holds a valid out-of-state certificate or to a person who holds a valid out-of-country certificate and meets any requirements established by the Board. The certificate to teach shall only be for those subject areas and grade levels most closely aligned to the subject areas and grade levels recognized on the out-of-state or out-of-country certificate.

2. A person who meets the requirements of paragraph 1 of this subsection and who has five (5) years of successful teaching experience as a certified teacher in an accredited school shall not be required to take any competency examinations in those subject areas and grade levels most closely aligned to the subject areas and grade levels recognized on the out-of-state or out-of-country certificate.
3. A person who meets the requirements of paragraph 1 of this subsection shall have on file with the Board a current Oklahoma criminal history record check from the Oklahoma State Bureau of Investigation as well as a national criminal history record check as defined in Section 150.9 of Title 74 of the Oklahoma Statutes. Upon receipt of the Oklahoma criminal history record check, the Board may issue a temporary certificate which shall be effective until receipt of the national fingerprint-based criminal history record check. The person applying for a certificate shall be responsible for the cost of the criminal history record checks.

4. The Board shall promulgate rules establishing a process by which out-of-country certificates will be reviewed and evaluated for purposes of awarding a certificate to teach pursuant to this subsection.

G. 1. The Board shall issue a certificate to teach to a person who has successfully completed a competency exam used in a majority of the other states. The certificate to teach shall only be for those subject areas and grade levels that correspond with a certification area used in Oklahoma.

2. A person who meets the requirements of paragraph 1 of this subsection shall have on file with the Board a current Oklahoma criminal history record check from the Oklahoma State Bureau of Investigation as well as a national criminal history record check as defined in Section 150.9 of Title 74 of the Oklahoma Statutes. Upon receipt of the Oklahoma criminal history record check, the Board may issue a temporary certificate which shall be effective until receipt of the national fingerprint-based criminal history record check. The person applying for a certificate shall be responsible for the cost of the criminal history record checks.

SECTION 2. AMENDATORY Section 3, Chapter 394, O.S.L. 2013 (70 O.S. Supp. 2015, Section 18-114.14), is amended to read as follows:

Section 18-114.14 A. Beginning with the 2013-2014 school year, teachers in the public schools of Oklahoma shall receive in salary and/or fringe benefits not less than the amounts specified in the following schedule:

MINIMUM SALARY SCHEDULE

National
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<th>Years of Experience</th>
<th>Bachelor's Degree</th>
<th>Board Certification</th>
<th>Master's Degree</th>
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**ENR. H. B. NO. 2946**
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<th>Years of</th>
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</table>
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15  $40,700
16  $41,125
17  $41,550
18  $41,975
19  $42,400
20  $42,825
21  $43,250
22  $43,675
23  $44,100
24  $44,525
25  $44,950

B. When determining the Minimum Salary Schedule, "fringe benefits" shall mean all or part of retirement benefits, excluding the contributions made pursuant to subsection A of Section 17-108.1 of Title 70 of the Oklahoma Statutes and the flexible benefit allowance pursuant to Section 26-105 of Title 70 of the Oklahoma Statutes from the flexible benefit allowance funds disbursed by the State Board of Education and the State Board of Career and Technology Education pursuant to Section 26-104 of Title 70 of the Oklahoma Statutes.

C. Any of the degrees referred to in this section shall be from a college recognized by the State Board of Education. The State Board of Education shall accept teaching experience from out-of-state school districts that are accredited by the state board of education or appropriate state accrediting agency for the districts. The Board shall accept teaching experience from out-of-country schools that are accredited or otherwise endorsed by the appropriate national or regional accrediting or endorsement authority. Out-of-country certification documentation in a language other than English shall be analyzed by an educational credential evaluation service.
approved by the National Association of Credential Evaluation Services (NACES). The person seeking to have credit granted for out-of-country teaching experience shall be responsible for all costs of the analysis by a credential evaluation service. The Board shall accept teaching experience from primary and secondary schools that are operated by the United States Department of Defense or are affiliated with the United States Department of State.

D. For the purpose of state salary increments and retirement, no teacher shall be granted credit for more than five (5) years of active duty in the military service or out-of-state or out-of-country teaching experience as a certified teacher or its equivalent. Nothing in this section shall prohibit boards of education from crediting more years of experience on district salary schedules than those allowed for state purposes.

E. The State Board of Education shall recognize, for purposes of certification and salary increments, all the years of experience of a:

1. Certified teacher who teaches in the educational program of the Department of Corrections, beginning with fiscal year 1981;

2. Vocational rehabilitation counselor under the Department of Human Services if the counselor was employed as a certified teacher by the State Department of Education when the Division of Vocational Rehabilitation was transferred from the State Board of Career and Technology Education or the State Board of Education to the Oklahoma Public Welfare Commission on July 1, 1968;

3. Vocational rehabilitation counselor which were completed while employed by the Department of Human Services if such counselor was certified as a teacher or was eligible for certification as a teacher in Oklahoma;

4. Certified teacher which were completed while employed by the Department of Human Services Child Study Center at University Hospital, if the teacher was certified as a teacher in Oklahoma; and

5. Certified school psychologist or psychometrist which were completed while employed as a doctoral intern, psychological assistant, or psychologist with any agency of the State of Oklahoma if the experience primarily involved work with persons of school- or preschool-age and if the person was, at the time the experience was
acquired, certified as, or eligible for certification as, a school psychologist or psychometrist.

F. The provisions of this section shall not apply to teachers who have entered into postretirement employment with a public school in Oklahoma and are still receiving a monthly retirement benefit.

SECTION 3. This act shall become effective July 1, 2016.

SECTION 4. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.
Passed the House of Representatives the 19th day of May, 2016.

[Signature]
Presiding Officer of the House of Representatives

Passed the Senate the 5th day of April, 2016.

[Signature]
Presiding Officer of the Senate

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this 20th day of May, 2016, at 1:39 o'clock P M.
By: [Signature]

Approved by the Governor of the State of Oklahoma this 24th day of May, 2016, at 1:05 o'clock P M.
[Signature]
Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this 24th day of May, 2016, at 2:29 o'clock P M.
By: [Signature]
An Act

ENROLLED HOUSE
BILL NO. 2957

By: Rogers, Park, Montgomery, Kannady, Stromm, Caldwell, Pfeiffer, Murdock, Dunlap, Fisher, Wood, Sears, Wallace, Lepak, Roberts (Dustin), Leewright, Nollan, Jordan, Casey, Walker, Sanders, Bennett, Cockroft, Henke, Echols, Billy, Martin, Brumbaugh, Wright, Banz, Hall, Faught, Kern, McCullough, Johnson, O'Donnell, Derby and Vaughan of the House and

Ford and Sykes of the Senate

An Act relating to teacher evaluations; amending 70 O.S. 2011, Section 6-101.3, as last amended by Section 1, Chapter 365, O.S.L. 2015 (70 O.S. Supp. 2015, Section 6-101.3), which relates to definitions; modifying certain definitions; adding definition; amending 70 O.S. 2011, Section 6-101.10, as last amended by Section 2, Chapter 365, O.S.L. 2015 (70 O.S. Supp. 2015, Section 6-101.10), which relates to evaluation policies; directing the State Department of Education to work with school districts to develop individualized programs of professional development during certain year; directing school districts to incorporate certain programs of professional development during certain year on a pilot program basis; directing school districts to put into operation programs of professional development; removing outdated language; updating certain references; allowing certain designees to conduct evaluations; requiring policies of professional development to address certain components; requiring districts to monitor compliance with programs of
professional development; allowing programs of professional development to include certain learning practices; removing requirement for certain consultation; amending 70 O.S. 2011, Section 6-101.13, as last amended by Section 3, Chapter 365, O.S.L. 2015 (70 O.S. Supp. 2015, Section 6-101.13), which relates to due process; removing outdated language; updating references; amending 70 O.S. 2011, Section 6-101.16, as last amended by Section 4, Chapter 365, O.S.L. 2015 (70 O.S. Supp. 2015, Section 6-101.16), which relates to the Teacher and Leader Effectiveness Evaluation System; removing requirement for the State Board of Education to determine certain calculation and system; removing language related to remediation plans and instructional coaching; modifying reference to certain ratings; removing reference to certain quantitative and qualitative ratings; removing language related to evaluations for teachers of non-tested grades and subjects; removing language related to first-year and second-year teacher evaluations; removing language related to evaluation of teachers who were previously employed by another district or who entered post-retirement employment; adding an individualized program of professional development as a TLE component; allowing districts to use certain quantitative measure at their own expense; requiring discussion of student performance with teachers; removing reference to student academic growth quantitative component; amending 70 O.S. 2011, Section 6-101.22, as last amended by Section 5, Chapter 365, O.S.L. 2015 (70 O.S. Supp. 2015, Section 6-101.22), which relates to dismissal of career teachers; modifying reference to certain ratings; allowing a superintendent to recommend continued employment of teachers receiving certain ratings; removing language regarding dismissal of teachers receiving certain ratings; modifying language regarding dismissal of teachers for engaging in certain acts; providing an effective date; and declaring an emergency.

SUBJECT: Teachers

ENR. H. B. NO. 2957
BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY  70 O.S. 2011, Section 6-101.3, as last amended by Section 1, Chapter 365, O.S.L. 2015 (70 O.S. Supp. 2015, Section 6-101.3), is amended to read as follows:

Section 6-101.3 As used in Section 6-101 et seq. of this title:

1. "Administrator" means a duly certified person who devotes a majority of time to service as a superintendent, elementary superintendent, principal, supervisor, vice principal or in any other administrative or supervisory capacity in the school district;

2. "Dismissal" means the discontinuance of the teaching service of an administrator or teacher during the term of a written contract, as provided by law;

3. "Nonreemployment" means the nonrenewal of the contract of an administrator or teacher upon expiration of the contract;

4. "Career teacher" means a teacher who:

   a. for teachers is employed by a school district prior to full implementation of the Oklahoma Teacher and Leader Effectiveness Evaluation System (TLE) as set forth in Section 6-101.10 of this title, the 2017-2018 school year and has completed three (3) or more consecutive complete school years as a teacher in one school district under a written continuing or temporary teaching contract, or

   b. for teachers is employed for the first time by a school district under a written continuing or temporary teaching contract after full implementation of the Oklahoma Teacher and Leader Effectiveness Evaluation System (TLE) as set forth in Section 6-101.10 of this title during the 2017-2018 school year and thereafter:

(1) has completed three (3) consecutive complete school years as a teacher in one school district under a written continuing or temporary teaching contract and has achieved qualitative and quantitative ratings a district evaluation rating
of "superior" as measured pursuant to the TLE as set forth in Section 6-101.16 of this title for at least two (2) of the three (3) school years, with no rating below "effective".

(2) has completed four (4) consecutive complete school years as a teacher in one school district under a written continuing or temporary teaching contract, has averaged qualitative and quantitative ratings a district evaluation rating of at least "effective" as measured pursuant to the TLE for the four-year period, and has received qualitative and quantitative district evaluation ratings of at least "effective" for the last two (2) years of the four-year period, or

(3) has completed four (4) or more consecutive complete school years in one school district under a written continuing or temporary teaching contract and has not met the requirements of subparagraph a or b of this paragraph, only if the principal of the school at which the teacher is employed submits a petition to the superintendent of the school district requesting that the teacher be granted career status, the superintendent agrees with the petition, and the school district board of education approves the petition. The principal shall specify in the petition the underlying facts supporting the granting of career status to the teacher;

5. "Teacher hearing" means the hearing before a school district board of education after a recommendation for dismissal or nonreemployment of a teacher has been made but before any final action is taken on the recommendation, held for the purpose of affording the teacher all rights guaranteed by the United States Constitution and the Constitution of Oklahoma under circumstances and for enabling the board to determine whether to approve or disapprove the recommendation;

6. "Probationary teacher" means a teacher who:

a. for teachers is employed by a school district prior to full implementation of the Oklahoma Teacher and Leader
Effectiveness Evaluation System (TLE) as set forth in Section 6-101.10 of this title, the 2017-2018 school year and has completed fewer than three (3) consecutive complete school years as a teacher in one school district under a written teaching contract, or

b. for teachers is employed for the first time by a school district under a written teaching contract after full implementation of the Oklahoma Teacher and Leader Effectiveness Evaluation System (TLE) as set forth in Section 6-101.10 of this title, during the 2017-2018 school year and thereafter and has not met the requirements for career teacher as provided in paragraph 4 of this section;

7. "Suspension" or "suspended" means the temporary discontinuance of the services of an administrator or teacher, as provided by law; and

8. "Teacher" means a duly certified person who is employed to serve as a counselor, librarian or school nurse or in any instructional capacity; an administrator shall be considered a teacher only with regard to service in an instructional, nonadministrative capacity; and

9. "District evaluation rating" means the rating issued based on the components of the TLE as set forth in subsection B of Section 6-101.16 of this title.

SECTION 2. AMENDATORY 70 O.S. 2011, Section 6-101.10, as last amended by Section 2, Chapter 365, O.S.L. 2015 (70 O.S. Supp. 2015, Section 6-101.10), is amended to read as follows:

Section 6-101.10 A. Each school district board of education shall maintain and annually review, following consultation with or involvement of representatives selected by local teachers, a written policy of evaluation and corresponding professional development for all teachers and administrators. In those school districts in which there exists a professional negotiations agreement made in accordance with Section 509.1 et seq. of this title, the procedure for evaluating members of the negotiations unit and any standards of performance and conduct proposed for adoption beyond those established by the State Board of Education shall be negotiable items. Nothing in this section shall be construed to annul, modify or to preclude the renewal or continuing of any existing agreement.
heretofore entered into between any school district and any organizational representative of its employees. Every policy of evaluation adopted by a board of education shall:

1. Be based upon a set of minimum criteria developed by the State Board of Education, which shall be revised and based upon the Oklahoma Teacher and Leader Effectiveness Evaluation System (TLE) developed by the State Board of Education as provided in Section 6-101.16 of this title. The revisions to each policy of evaluation shall be phased in according to the following schedule:

   a. for evaluations of teachers and administrators conducted during the 2012-2013 school year, school districts shall for purposes of testing the TLE incorporate on a trial basis the qualitative components of the TLE as provided for in subparagraph b of paragraph 4 of subsection B of Section 6-101.16 of this title into the evaluations used in all or a representative sampling of school sites within the district and may at the option of the school district incorporate on a trial basis the quantitative components of the TLE as provided for in subparagraph a of paragraph 4 of subsection B of Section 6-101.16 of this title into the evaluations used in all or a representative sampling of school sites within the district,

   b. for evaluations of teachers and administrators conducted during the 2013-2014 school year, school districts shall incorporate and put into operation the qualitative components of the TLE as provided for in subparagraph b of paragraph 4 of subsection B of Section 6-101.16 of this title into the evaluations used in all school sites within the district. For the 2013-2014 school year the evaluation rating of teachers and administrators shall be based on the qualitative component of the TLE. In addition, for evaluations of teachers and administrators conducted during the 2013-2014 school year, school districts shall for purposes of testing the TLE incorporate on a trial basis the quantitative components of the TLE as provided for in subparagraph a of paragraph 4 of subsection B of Section 6-101.16 of this title into the evaluations used in all or a representative sampling of school sites within the district.
However, nothing in this subparagraph shall preclude a school district with an average daily attendance of more than thirty-five thousand (35,000) from incorporating at its own expense the quantitative components of the TLE into its evaluation system of teachers and administrators, as defined by the district's written policy, during the 2013-2014 school year.

e. for evaluations of teachers and administrators conducted during the 2014-2015 and 2015-2016 school years, school districts shall for purposes of establishing baseline data incorporate the quantitative components of the TLE as provided for in subparagraph a of paragraph 4 of subsection B of Section 6-101.16 of this title into the evaluations used in all school sites within the district. For the 2014-2015 and 2015-2016 and 2016-2017 school years, the evaluation rating of teachers and administrators shall be based on the qualitative component of the TLE. For the 2016-2017 school year, the State Department of Education shall work with school districts to develop individualized programs of professional development as described in subsection B of this section. However, nothing in this subparagraph shall preclude a school district with an average daily attendance of more than thirty-five thousand (35,000) from continuing to use quantitative components which the district has incorporated at its own expense the quantitative components of the TLE prior to the 2015-2016 school year into its evaluation system of teachers and administrators, as defined by the district's written policy, during the 2014-2015 and 2015-2016 school years, and

d. for evaluations of teachers and administrators conducted during the 2016-2017 2017-2018 school year, and each school year thereafter, school districts shall fully implement the TLE and incorporate and put into operation both the qualitative and quantitative components of the TLE as provided for in paragraph 4 of subsection B of Section 6-101.16 of
this title into the evaluations used in all school sites within the district. For the 2016-2017 2017-2018 school year, and each school year thereafter, teachers and administrators shall receive a qualitative district evaluation rating based on the qualitative component of the components of the TLE and a quantitative rating based on the quantitative component of the TLE as set forth in subsection B of Section 6-101.16 of this title. For the 2017-2018 school year, school districts shall incorporate the individualized programs of professional development as described in subsection B of this section on a pilot program basis, and

C. for evaluations of teachers and administrators conducted during the 2018-2019 school year, and each school year thereafter, school districts shall fully incorporate and put into operation the individualized programs of professional development as described in subsection B of this section;

2. Be prescribed in writing at the time of adoption and at all times when amendments to the policy are adopted. The original policy and all amendments to the policy shall be promptly made available to all persons subject to the policy;

3. Provide that all evaluations be made in writing and that evaluation documents and responses thereto be maintained in a personnel file for each evaluated person;

4. Provide that every probationary teacher receive formative feedback from the evaluation process at least two times per school year, once during the fall semester and once during the spring semester;

5. Provide that every teacher be evaluated once every year, except for career teachers receiving a qualitative district evaluation rating of "superior" or "highly effective" and a quantitative rating of "superior" or "highly effective" under the TLE who may be evaluated once every two (2) three (3) years; and

6. Provide that, except for superintendents of independent and elementary school districts and superintendents of area school districts who shall be evaluated by the school district board of education, all certified personnel shall be evaluated by a
principals, assistant principals, designee of the principal, supervisor, content expert, department chair, peer committee or other trained certified individuals or groups of persons designated by the school district board of education.

B. 1. Every policy of professional development adopted by a school district board of education shall provide for the development of a focused and individualized program of professional development for the teacher or administrator that is consistent with the qualitative component of the TLE. The policy of professional development shall:

   a. establish an annual professional growth goal for the teacher or administrator that is developed by the teacher or administrator in collaboration with the evaluator,

   b. be tailored to address a specific area or criteria identified through the qualitative component of the TLE,

   c. allow the teacher or administrator to actively engage with learning practices that are evidence-based, researched practices that are correlated with increased student achievement, and

   d. be supported by resources that are easily available and supplied by the school district and the State Department of Education.

2. School districts shall monitor compliance with each individualized program of professional development implemented pursuant to this subsection. All professional development completed pursuant to an individualized program of professional development shall count toward the total number of points a teacher or administrator is required to complete as established by a school district board of education pursuant to Section 6-194 of this title. The implementation of the individualized program of professional development required by this subsection shall not be construed as increasing the professional development points requirements.

3. Individualized programs of professional development required by this subsection may include but are not limited to the following learning practices:
a. presenter-led workshops,

b. individual or faculty studies of books, scholarly articles and video productions,

c. peer observations,

d. committee studies to address student achievement issues,

e. work related to a specific subject area or areas associated with obtaining an advanced degree or professional certification,

f. action research projects designed to improve student achievement, and

g. participation in local, regional or state initiatives associated with the development or implementation of curriculum standards.

C. All individuals designated by the school district board of education to conduct the personnel evaluations shall be required to participate in training conducted by the State Department of Education or training provided by the school district using guidelines and materials developed by the State Department of Education prior to conducting evaluations.

D. The State Department of Education shall develop and conduct workshops pursuant to statewide criteria which train individuals in conducting evaluations.

E. The State Board of Education shall monitor compliance with the provisions of this section by school districts.

F. The State Board of Education, in consultation with the Teacher and Leader Effectiveness Commission, shall study continued implementation of the TLE to produce a system that promotes reflection and professional growth for teachers and leaders.

G. Refusal by a school district to comply with the provisions of this section shall be grounds for withholding State Aid funds until compliance occurs.

ENR. H. B. NO. 2957 Page 10
E. H. Data collected pursuant to this section shall not be subject to the Oklahoma Open Meeting Act or the Oklahoma Open Records Act.

H. Full implementation of the TLE for the purposes of employment shall occur during the 2017-2018 school year.

SECTION 3. AMENDATORY 70 O.S. 2011, Section 6-101.13, as last amended by Section 3, Chapter 365, O.S.L. 2015 (70 O.S. Supp. 2015, Section 6-101.13), is amended to read as follows:

Section 6-101.13 A. Whenever the school district board of education or the administration of a school district shall determine that the dismissal or nonreemployment of a full-time certified administrator from the administrative position within the school district should be effected, the administrator shall be entitled to the following due process procedures:

1. A statement shall be submitted to the administrator in writing prior to the dismissal or nonreemployment which states the proposed action, lists the reasons for effecting the action, and notifies the administrator of his or her right to a hearing before the school district board of education prior to the action; and

2. A hearing before the school district board of education shall be granted upon the request of the administrator prior to the dismissal or nonreemployment. A request for a hearing shall be submitted to the board of education not later than ten (10) days after the administrator has been notified of the proposed action.

B. Failure of the administrator to request a hearing before the school district board of education within ten (10) days after receiving the written statement shall constitute a waiver of the right to a hearing. No decision of the board of education concerning the dismissal or nonreemployment of a full-time certified administrator shall be effective until the administrator has been afforded due process as specified in this section. The decision of the school district board of education concerning the dismissal or nonreemployment, following the hearing, shall be final.

C. After full implementation of the Oklahoma Teacher and Leader Effectiveness Evaluation System (TLE) as set forth in Section 6-101.10 of this title, a principal who has received qualitative and quantitative ratings of "ineffective" as measured pursuant to the TLE as set forth in Section 6-101.16 of this title for two (2)
consecutive school years, shall not be reemployed by the school district, subject to the due process procedures of this section.

D. After full implementation of the TLE as set forth in Section 6-101.10 of this title Beginning with the 2017-2018 school year and thereafter, a principal who has received qualitative or quantitative district evaluation ratings of "ineffective" as measured pursuant to the TLE as set forth in Section 6-101.16 of this title for two (2) consecutive school years may be dismissed or not reemployed by the school district, subject to the due process procedures of this section.

SECTION 4. AMENDATORY 70 O.S. 2011, Section 6-101.16, as last amended by Section 4, Chapter 365, O.S.L. 2015 (70 O.S. Supp. 2015, Section 6-101.16), is amended to read as follows:

Section 6-101.16 A. By December 15, 2011, the State Board of Education shall adopt a new statewide system of evaluation to be known as the Oklahoma Teacher and Leader Effectiveness Evaluation System (TLE). The Board shall work cooperatively with school districts to fully implement both incorporate the quantitative and qualitative components of the TLE in all school districts by the 2016-2017 2017-2018 school year as provided for in Section 6-101.10 of this title, including determining the final calculation of the student academic growth measurement as provided for in subparagraph a of paragraph 4 of subsection B of this section and developing a teacher/student-assignment verification system.

B. The TLE shall include the following components:

1. Annual evaluations that provide feedback to improve student learning and outcomes, except as provided for in subsection C of this section;

2. Comprehensive remediation plans and instructional coaching for all teachers who receive qualitative or quantitative ratings of "needs improvement" or "ineffective" in accordance with the rating system established in paragraph 3 of this subsection;

3. A five-tier district evaluation rating system for both the qualitative and quantitative components set forth in paragraph 4 of this subsection as follows:

   a. superior,
b. highly effective,
c. effective,
d. needs improvement, and
e. ineffective;

4. a. The quantitative ratings of teachers and leaders shall be based on quantitative components which shall include performance measures of a teacher and leader that are based on student academic growth using multiple years of standardized test data, as available, and performance measures for teachers in grades and subjects for which there is no state-mandated testing measure, as approved by the State Board of Education pursuant to subsection E of this section, and

b. The qualitative ratings of teachers and leaders shall be based on rigorous and fair qualitative assessment components.

5. 3. An evidence-based qualitative assessment tool for the teacher qualitative portion of the TLE that will include observable and measurable characteristics of personnel and classroom practices that are correlated to student performance success, including, but not limited to:

a. organizational and classroom management skills,
b. ability to provide effective instruction,
c. focus on continuous improvement and professional growth,
d. interpersonal skills, and
e. leadership skills;

6. 4. An evidence-based qualitative assessment tool for the leader qualitative portion of the TLE that will include observable and measurable characteristics of personnel and site management practices that are correlated to student performance success, including, but not limited to:
a. organizational and school management, including retention and development of effective teachers and dismissal of ineffective teachers,

b. instructional leadership,

c. professional growth and responsibility,

d. interpersonal skills,

e. leadership skills, and

f. stakeholder perceptions;

7. For those teachers in grades and subjects for which there is no state mandated testing measure to create a quantitative assessment for the quantitative portion of the TLE, local school district boards of education shall choose evaluation methods from a list of reliable, research-based options approved by the State Board of Education pursuant to subsection E of this section. Emphasis shall be placed on the observed qualitative assessment as well as contribution to the overall school academic growth. For those teachers who have at least one tested grade or subject, school districts shall have the option of basing up to fifty percent (50%) of the quantitative rating on evaluation methods chosen from a list of reliable, research-based options approved by the State Board of Education pursuant to subsection E of this section.

8. For first year and second year teachers, evaluations shall be based solely on qualitative components set forth in subparagraph b of paragraph 4 of this subsection; and

9. For teachers who were previously employed by a different public school district and for teachers who enter into post-retirement employment with a public school, school districts shall have the option of basing those evaluations solely on the qualitative components set forth in subparagraph b of paragraph 4 of this subsection during their first year of employment.

5. An individualized program of professional development for all teachers and administrators as adopted by the school district board of education as set forth in subsection B of Section 6-101.10 of this title:
6. For districts choosing to use, at their own expense, quantitative measures of teachers and leaders as part of the district evaluation rating, such measures shall include a minimum of one reliable, research-based measure as approved by the State Board of Education pursuant to subsection D of this section; and

7. For all district evaluations, student performance, including performance on the statewide criterion-referenced tests if available, shall be discussed with the teacher and may be one of the considerations for the teacher's district evaluation rating.

C. Career teachers receiving a qualitative district evaluation rating of "superior" or "highly effective" and a quantitative rating of "superior" or "highly effective" under the TLE may be evaluated once every two (2) three (3) years.

D. The Teacher and Leader Effectiveness Commission shall adopt the student academic growth quantitative components of the TLE as provided for in subparagraph a of paragraph 4 of subsection B of this section by May 1, 2014. The Commission shall provide oversight and advise the State Board of Education on the development and implementation of the TLE.

E. By December 1, 2015, the Teacher and Leader Effectiveness Commission shall recommend to the State Board of Education multiple reliable, research-based measures for providing to provide a quantitative evaluation component for teachers in grades and subjects for which there is no state mandated testing measure. The State Board of Education shall approve and publish a list of approved measures by February 1, 2016.

F. A school district with an average daily attendance of more than thirty-five thousand (35,000) which has incorporated quantitative components of the TLE into its evaluation system of teachers and administrators prior to the 2015-2016 school year may continue using its evaluation system, as defined by the school district's written policies, notwithstanding the provisions of this section and regardless of the State Board of Education's adoption of quantitative components pursuant to this section.

G. The State Department of Education shall provide to the Oklahoma State Regents for Higher Education and the Oklahoma Commission for Educational Quality and Accountability timely electronic data linked to teachers and leaders derived from the TLE for purposes of providing a basis for the development of
accountability and quality improvements of the teacher preparation system. The data shall be provided in a manner and at such times as agreed upon between the Department, the State Regents and the Commission.

H. G. For purposes of this section, "leader" means a principal, assistant principal or any other school administrator who is responsible for supervising classroom teachers.

I. H. The State Department of Education shall keep all data collected pursuant to the TLE and records of annual evaluations received pursuant to this section confidential. Records created pursuant to this section which identify, in any way, a current or former public employee shall not be subject to disclosure under the Oklahoma Open Records Act. Nothing in this subsection shall be construed to prohibit disclosure otherwise required by this section; provided, however, any provisions requiring disclosure of TLE records shall be construed narrowly and all individually identifying information shall be removed from such records to the fullest extent possible.

SECTION 5. AMENDATORY 70 O.S. 2011, Section 6-101.22, as last amended by Section 5, Chapter 365, O.S.L. 2015 (70 O.S. Supp. 2015, Section 6-101.22), is amended to read as follows:

Section 6-101.22 A. Subject to the provisions of the Teacher Due Process Act of 1990, a career teacher may be dismissed or not reemployed for:

1. Willful neglect of duty;
2. Repeated negligence in performance of duty;
3. Mental or physical abuse to a child;
4. Incompetency;
5. Instructional ineffectiveness;
6. Unsatisfactory teaching performance;
7. Commission of an act of moral turpitude; or
8. Abandonment of contract.
B. Subject to the provisions of the Teacher Due Process Act of 1990, a probationary teacher may be dismissed or not reemployed for cause.

C. Upon full implementation of the Oklahoma Teacher and Leader Effectiveness Evaluation System (TLE) as set forth in Section 6-101.10 of this title During the 2017-2018 school year and thereafter:

1. A career teacher who has received a qualitative and quantitative rating of "ineffective" for two (2) consecutive school years shall be dismissed or not reemployed on the grounds of instructional ineffectiveness by the school district, subject to the provisions of the Teacher Due Process Act of 1990;

2. A career teacher who has received a qualitative or quantitative district evaluation rating of "ineffective" for two (2) consecutive school years may shall be dismissed or not reemployed on the grounds of instructional ineffectiveness by the school district, subject to the provisions of the Teacher Due Process Act of 1990. However, the superintendent may recommend and the school district board of education may approve continued employment of the teacher; and

3. 2. A career teacher who has received a qualitative and quantitative district evaluation rating of "needs improvement" or lower for three (3) consecutive school years shall may be dismissed or not reemployed on the grounds of instructional ineffectiveness by the school district, subject to the provisions of the Teacher Due Process Act of 1990;

4. A career teacher who has received a qualitative or quantitative rating of "needs improvement" or lower for three (3) consecutive school years may be dismissed or not reemployed on the grounds of instructional ineffectiveness by the school district, subject to the provisions of the Teacher Due Process Act of 1990;

5. A career teacher who has not averaged a qualitative and quantitative rating of at least "effective" as measured pursuant to the TLE over a five year period shall be dismissed or not reemployed on the grounds of instructional ineffectiveness by the school district, subject to the provisions of the Teacher Due Process Act of 1990; and
6. A career teacher who has not averaged a qualitative or quantitative rating of at least "effective" as measured pursuant to the TLE over a five-year period may be dismissed or not reemployed on the grounds of instructional ineffectiveness by the school district, subject to the provisions of the Teacher Due Process Act of 1990.

D. Upon full implementation of the Oklahoma Teacher and Leader Effectiveness Evaluation System (TLE) as set forth in Section 6-101.10 of this title during the 2017-2018 school year and thereafter:

1. A probationary teacher who has received a qualitative and quantitative district evaluation rating of "ineffective" as measured pursuant to the TLE for two (2) consecutive school years shall may be dismissed or not reemployed by the school district subject to the provisions of the Teacher Due Process Act of 1990; and

2. A probationary teacher who has received a qualitative or quantitative rating of "ineffective" as measured pursuant to the TLE for two (2) consecutive school years may be dismissed or not reemployed by the school district subject to the provisions of the Teacher Due Process Act of 1990; and

3. A probationary teacher who has not attained career teacher status within a four-year period shall may be dismissed or not reemployed by the school district, subject to the provisions of the Teacher Due Process Act of 1990.

E. A teacher shall be dismissed or not reemployed, unless a presidential or gubernatorial pardon has been issued, if during the term of employment the teacher is convicted in this state, the United States or another state of:

1. Any sex offense subject to the Sex Offenders Registration Act in this state or subject to another state's or the federal sex offender registration provisions; or

2. Any felony offense.

F. A teacher may be dismissed, refused employment or not reemployed after a finding that such person has engaged in criminal sexual activity or sexual misconduct that has impeded the effectiveness of the individual's performance of school duties. As used in this subsection:
1. "Criminal sexual activity" means the commission of an act as defined in Section 886 of Title 21 of the Oklahoma Statutes, which is the act of sodomy, and

2. "Sexual misconduct" means the soliciting or imposing of criminal sexual activity acts that could form the basis of criminal charges sufficient to result in the denial or revocation of a certificate for a reason set forth in subparagraph a of paragraph 6 of Section 3-104 of this title.

G. As used in this section, "abandonment of contract" means the failure of a teacher to report at the beginning of the contract term or otherwise perform the duties of a contract of employment when the teacher has accepted other employment or is performing work for another employer that prevents the teacher from fulfilling the obligations of the contract of employment.

H. A school district shall notify the State Board of Education within ten (10) days of the dismissal or nonreemployment of a probationary or career teacher for reasons outlined in subsection F of this section.

SECTION 6. This act shall become effective July 1, 2016.

SECTION 7. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.
Passed the House of Representatives the 11th day of May, 2016.

[Signature]
Presiding Officer of the House of Representatives

Passed the Senate the 20th day of April, 2016.

[Signature]
Presiding Officer of the Senate

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this 12th day of May, 2016, at 4:19 o'clock A.M.
By: [Signature]

Approved by the Governor of the State of Oklahoma this 16th day of May, 2016, at 4:39 o'clock P.M.

[Signature]
Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this 16th day of May, 2016, at 5:03 o'clock P.M.
By: [Signature]
An Act

ENROLLED HOUSE
BILL NO. 2965

By: Nelson of the House

and

Griffin of the Senate

An Act relating to children; amending 10A O.S. 2011, Section 1-2-101, as last amended by Section 1, Chapter 186, O.S.L. 2015 (10A O.S. Supp. 2015, Section 1-2-101), which relates to child abuse reporting; prohibiting governing body or entity from interfering with reporting obligation; permitting recovery of damages, costs and fees by specified party; and providing an effective date.

SUBJECT: Child abuse

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 10A O.S. 2011, Section 1-2-101, as last amended by Section 1, Chapter 186, O.S.L. 2015 (10A O.S. Supp. 2015, Section 1-2-101), is amended to read as follows:

Section 1-2-101. A. 1. The Department of Human Services shall establish a statewide centralized hotline for the reporting of child abuse or neglect to the Department.

2. The Department shall provide hotline-specific training including, but not limited to, interviewing skills, customer service skills, narrative writing, necessary computer systems, making case determinations, and identifying priority situations.

3. The Department is authorized to contract with third parties in order to train hotline workers.
4. The Department shall develop a system to track the number of calls received, and of that number:
   a. the number of calls screened out,
   b. the number of referrals assigned,
   c. the number of calls received by persons unwilling to disclose basic personal information including, but not limited to, first and last name, and
   d. the number of calls in which the allegations were later found to be unsubstantiated or ruled out.

5. The Department shall electronically record each referral received by the hotline and establish a secure means of retaining the recordings for twelve (12) months. The recordings shall be confidential and subject to disclosure only if a court orders the disclosure of the referral. The Department shall redact any information identifying the reporting party unless otherwise ordered by the court.

B. 1. Every person having reason to believe that a child under the age of eighteen (18) years is a victim of abuse or neglect shall report the matter promptly to the Department of Human Services. Reports shall be made to the hotline provided for in subsection A of this section. Any allegation of abuse or neglect reported in any manner to a county office shall immediately be referred to the hotline by the Department. Provided, however, that in actions for custody by abandonment, provided for in Section 2-117 of Title 30 of the Oklahoma Statutes, there shall be no reporting requirement.

2. Every physician, surgeon, or other health care professional including doctors of medicine, licensed osteopathic physicians, residents and interns, or any other health care professional attending the birth of a child who tests positive for alcohol or a controlled dangerous substance shall promptly report the matter to the Department.

3. No privilege or contract shall relieve any person from the requirement of reporting pursuant to this section.

4. The reporting obligations under this section are individual, and no employer, supervisor, or administrator, governing body or entity shall interfere with the reporting obligations of any
employee or other person or in any manner discriminate or retaliate against the employee or other person who in good faith reports suspected child abuse or neglect, or who provides testimony in any proceeding involving child abuse or neglect. Any employer, supervisor, or administrator, governing body or entity who discharges, discriminates or retaliates against the employee or other person shall be liable for damages, costs and attorney fees. If a child who is the subject of the report or other child is harmed by the discharge, discrimination or retaliation described in this paragraph, the party harmed may file an action to recover damages, costs and attorney fees.

5. Every physician, surgeon, or other health care professional making a report of abuse or neglect as required by this subsection or examining a child to determine the likelihood of abuse or neglect and every hospital or related institution in which the child was examined or treated shall provide, upon request, copies of the results of the examination or copies of the examination on which the report was based and any other clinical notes, x-rays, photographs, and other previous or current records relevant to the case to law enforcement officers conducting a criminal investigation into the case and to employees of the Department of Human Services conducting an investigation of alleged abuse or neglect in the case.

C. Any person who knowingly and willfully fails to promptly report suspected child abuse or neglect or who interferes with the prompt reporting of suspected child abuse or neglect may be reported to local law enforcement for criminal investigation and, upon conviction thereof, shall be guilty of a misdemeanor. Any person with prolonged knowledge of ongoing child abuse or neglect who knowingly and willfully fails to promptly report such knowledge may be reported to local law enforcement for criminal investigation and, upon conviction thereof, shall be guilty of a felony. For the purposes of this paragraph, "prolonged knowledge" shall mean knowledge of at least six (6) months of child abuse or neglect.

D. 1. Any person who knowingly and willfully makes a false report pursuant to the provisions of this section or a report that the person knows lacks factual foundation may be reported to local law enforcement for criminal investigation and, upon conviction thereof, shall be guilty of a misdemeanor.

2. If a court determines that an accusation of child abuse or neglect made during a child custody proceeding is false and the person making the accusation knew it to be false at the time the
accusation was made, the court may impose a fine, not to exceed Five Thousand Dollars ($5,000.00) and reasonable attorney fees incurred in recovering the sanctions, against the person making the accusation. The remedy provided by this paragraph is in addition to paragraph 1 of this subsection or to any other remedy provided by law.

E. Nothing contained in this section shall be construed to exempt or prohibit any person from reporting any suspected child abuse or neglect pursuant to subsection B of this section.

SECTION 2. This act shall become effective November 1, 2016.
Passed the House of Representatives the 1st day of March, 2016.

[Signature]
Presiding Officer of the House of Representatives

Passed the Senate the 7th day of April, 2016.

[Signature]
Presiding Officer of the Senate

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this 11th day of April, 2016, at 3:05 o'clock P.M.

By: [Signature]

Approved by the Governor of the State of Oklahoma this 14th day of April, 2016, at 3:20 o'clock P.M.

[Signature]
Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this 14th day of April, 2016, at 3:44 o'clock P.M.

By: [Signature]
An Act relating to schools; amending 70 O.S. 2011, Section 6-101, as amended by Section 4, Chapter 124, O.S.L. 2014 (70 O.S. Supp. 2015, Section 6-101), which relates to teacher contracts; authorizing school district boards of education to enter into contracts with student teachers; prohibiting a student teacher from teaching until completing certification requirements; providing for termination of contract; authorizing school district boards of education to commit to pay a stipend or signing bonus to certain student teachers; prohibiting certain stipend or signing bonus from being considered compensation for certain purpose; providing an effective date; and declaring an emergency.

SUBJECT: Teacher contracts

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 70 O.S. 2011, Section 6-101, as amended by Section 4, Chapter 124, O.S.L. 2014 (70 O.S. Supp. 2015, Section 6-101), is amended to read as follows:

Section 6-101. A. Except as provided in subsection E of this section, no person shall be permitted to teach in any school district of the state without a written contract, except as provided herein for substitute teachers and except teachers of classes in adult education. Except as provided in subsection J of this
section, the board of education of each school district, wherein school is expected to be conducted for the ensuing year, shall employ and contract in writing with qualified teachers for and in the name of the district. One copy of the contract shall be filed with the clerk of the board of education and one copy shall be retained by the teacher.

B. Except as otherwise provided by subsection subsections J and K of this section and any other law, no board of education shall have authority to enter into any written contract with a teacher who does not hold a valid certificate issued or recognized by the State Board of Education authorizing said teacher to teach the grades or subject matter for which the teacher is employed. Any board of education paying or authorizing the payment of the salary of any teacher not holding a certificate, as required herein, shall be adjudged to be guilty of a fraudulent expenditure of public funds and members voting for such payment shall be held jointly responsible for the return of the amount of any public monies thus expended, upon suit brought by the district attorney or by any interested citizen in the district where such funds have been expended.

C. It shall be the duty of the superintendent of schools under whose supervision teachers have been contracted to teach to certify to the treasurer of the contracting district the names of the teachers holding valid certificates and student teachers with whom contracts have been made and the names of substitute teachers employed in accordance with law. The treasurer shall not register any warrant issued in payment of salary to any teacher whose name is not included in such list and shall be liable on the official bond for the treasurer for the amount of any warrant registered in violation of the provisions of this section.

D. Whenever any person shall enter into a contract with any school district in Oklahoma to teach in such school district the contract shall be binding on the teacher and on the board of education until the teacher legally has been discharged from the teaching position or released by the board of education from the contract. Except as provided in Section 5-106A of this title, until such teacher has been thus discharged or released, the teacher shall not have authority to enter into a contract with any other board of education in Oklahoma for the same time covered by the original contract. If upon written complaint by the board of education in a district any teacher is reported to have failed to obey the terms of the contract previously made and to have entered into a contract
with another board of education without having been released from the former contract except as provided in Section 5-106A of this title, the teacher, upon being found guilty of such charge at a hearing held before the State Board of Education, shall have such teacher's certificate suspended for the remainder of the term for which the contract was made.

E. A board of education shall have authority to enter into written contracts with teachers for the ensuing fiscal year prior to the beginning of such year. If, prior to the first Monday in June, a board of education has not entered into a written contract with a regularly employed teacher or notified the teacher in writing by registered or certified mail that a recommendation has been made not to reemploy the teacher for the ensuing fiscal year, and if, by fifteen (15) days after the first Monday in June, such teacher has not notified the board of education in writing by registered or certified mail that such teacher does not desire to be reemployed in such school district for the ensuing year, such teacher shall be considered as employed on a continuing contract basis and on the same salary schedule used for other teachers in the school district for the ensuing fiscal year, and such employment and continuing contract shall be binding on the teacher and on the school district.

F. Whenever a school district is engaged in contract negotiations with teachers employed by that school district after the school year has begun and the teachers are employed on a continuing contract basis, the school district shall, beginning at the first of the school year, pay the teachers any state-mandated salary increases and salary schedule increases to which each teacher is otherwise entitled.

G. No school district or any member of the board of education of a district shall be liable for the payment of compensation to a teacher or administrator under the provisions of any contract for the ensuing year, if it becomes necessary to close the school because of insufficient attendance, disorganization, annexation, consolidation, or by dispensing with the school according to law, provided, such cause is known or action is taken prior to July 1 of such ensuing year.

H. No school district or any member of a board of education shall be liable for the payment of compensation to any teacher or administrator for the unexpired term of any contract if the school building to which the teacher or administrator has been assigned is destroyed by accident, storm, fire, or otherwise and it becomes
necessary to close the school because of inability to secure a suitable building or buildings for continuation of school. Teachers and administrators shall be entitled to pay for any time lost when school is closed on account of epidemics or otherwise when an order for such closing has been issued by a health officer authorized by law to issue the order.

I. A teacher may contract with more than one school district for the same school year as provided in Section 5-106A of this title.

J. A board of education shall have authority to enter into written contracts for the ensuing fiscal year prior to the beginning of the year with persons who are not certified to teach by the State Board of Education as long as the person is actively in the process of securing certification. The person shall not be allowed to teach in a classroom until the person has met or completed all of the requirements for certification as provided for in Section 6-190 of this title. If the person has not obtained valid certification by the first day of the ensuing school year, the contract shall be terminated.

K. A board of education of a school district shall have the authority to enter into written contracts for employment for the ensuing fiscal year with persons who are student teachers as defined in Section 1-116 of this title while such persons are still student teachers. A student teacher shall not be allowed to teach in a classroom during the ensuing fiscal year until meeting or completing all of the requirements for certification as provided for in Section 6-190 of this title. If the student teacher has not obtained valid certification by the first day of the ensuing school year, the contract shall be terminated. A board of education of a school district shall have the authority to commit to payment of a stipend or signing bonus to a student teacher as defined in Section 1-116 of this title while that person is still a student teacher, if that person has entered into a written contract for employment for the ensuing fiscal year. A board of education shall make any such student teacher stipend or signing bonus conditional on such person fulfilling the first year of their contract for the ensuing fiscal year. Any stipend or signing bonus paid under the terms of this subsection shall not be considered compensation for purposes of teacher retirement or the minimum salary schedule.

SECTION 2. This act shall become effective July 1, 2016.
SECTION 3. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.
Passed the House of Representatives the 17th day of May, 2016.

Presiding Officer of the House of Representatives

Passed the Senate the 14th day of April, 2016.

Presiding Officer of the Senate

OFFICE OF THE GOVERNO

Received by the Office of the Governor this 20th day of May, 2016, at 1:39 o'clock P.M.
By: Audrey Kendall

Approved by the Governor of the State of Oklahoma this 24th day of May, 2016, at 1:06 o'clock P.M.

Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this 24th day of May, 2016, at 2:29 o'clock P.M.
By: Chris Brown

ENR. H. B. NO. 2967 Page 6
An Act

ENROLLED HOUSE
BILL NO. 2969

By: Nelson of the House
and
Griffin and Pittman of the Senate

An Act relating to schools; amending 70 O.S. 2011, Section 3-104.4, as last amended by Section 1, Chapter 311, O.S.L. 2014 (70 O.S. Supp. 2015, Section 3-104.4), which relates to accreditation standards; directing the State Board of Education to adopt accreditation standards for educational services provided in certain types of programs; making standards apply to certain sites and schools; requiring standards to provide for certain status upon failure to comply; requiring the State Department of Education to actively monitor for compliance; directing the Department to investigate complaints and report accreditation status to the State Board of Education within certain time period; and requiring the Board to withdraw accreditation if a school fails to take certain action.

SUBJECT: Accreditation standards

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 70 O.S. 2011, Section 3-104.4, as last amended by Section 1, Chapter 311, O.S.L. 2014 (70 O.S. Supp. 2015, Section 3-104.4), is amended to read as follows:

Section 3-104.4 A. On or before February 1, 1991, the State Board of Education shall adopt standards for the accreditation of the public schools in this state according to the requirements of this act, to be effective as set forth in this act. The
accreditation standards shall incorporate the curricular standards established pursuant to Section 11-103.6 of this title. The accreditation standards shall equal or exceed the accreditation standards for schools promulgated by the North Central Association of Colleges and Schools to the extent that the standards are consistent with an academic results-oriented approach to accreditation, excluding those standards which deal with affective behavior to the extent the adoption of the standards does not conflict with state statute. The accreditation adopted by the State Board shall encompass accreditation for elementary schools, middle schools, junior high schools, and high schools. The accreditation standards shall be made available for public inspection at the offices of the State Department of Education.

B. Standards for accreditation adopted by the State Board of Education shall include standards relating to the provision of school counselors to the public school children of this state. The State Board of Education shall require each local school district to provide information regarding the number of counselors serving each school site, the duties of all such counselors including all administrative duties, the number of students served by each counselor, and information regarding the number of counselors employed per elementary school, middle school, junior high school and high school.

C. Except as otherwise provided by subsection A of this section with regard to curricular standards, as a condition of receiving state accreditation pursuant to this act:

1. High schools shall meet the accreditation standards not later than June 30, 1995; and

2. Elementary, middle and junior high schools shall meet the accreditation standards not later than June 30, 1999.

Schools shall thereafter continue to meet the accreditation standards as a condition of continued accreditation. Nothing herein shall be construed as preventing changes to the adopted standards by the State Board of Education pursuant to the Administrative Procedures Act.

D. If one or more school sites fails to receive accreditation as required pursuant to this section by the dates set forth in subsection C of this section or subsequently loses accreditation, the State Board of Education shall close the school and reassign the
students to accredited schools within the district or shall annex the district to one or more other districts in which the students can be educated in accredited schools.

E. Standards for accreditation adopted by the State Board of Education shall include standards relating to the provision of educational services provided in partial hospitalization programs, day treatment programs, day hospital programs, residential treatment programs and emergency shelter programs for persons between the ages of three (3) and twenty-one (21) years of age. The accreditation standards shall apply to onsite and offsite educational services provided by public school districts or state-accredited private schools. The accreditation standards shall provide for warnings, probation or nonaccredited status for schools that fail to meet the standards. Each school which is providing or is required to provide educational services for students placed in a program as described in this subsection shall be actively monitored by the State Department of Education. The Department shall determine on an ongoing basis if the educational program and services are in compliance with the accreditation standards. The Department shall investigate a complaint of failure to provide educational services within ten (10) days of receiving the complaint. If the Department determines that a school has failed to comply with the accreditation standards the Department shall report the recommended warning, probation or nonaccredited accreditation status to the State Board of Education within sixty (60) days. If a school does not take action to comply with the accreditation standards within ninety (90) days after a report is filed by the Department, the Board shall withdraw accreditation for the school.

F. State Board accreditation regulations shall provide for warnings and for assistance to schools and school districts whenever there is reason to believe a school is in danger of losing its state accreditation.

G. The State Board shall provide assistance to districts in considering the possibility of meeting accreditation requirements through the use of nontraditional means of instruction. The State Board shall also assist districts in forming cooperatives and making arrangements for the use of satellite instruction or other instructional technologies to the extent that use of such instructional means meets accreditation standards.

H. For the fiscal years ending June 30, 2015, and June 30, 2016, accreditation shall not be withdrawn from or denied nor shall
a penalty be assessed against a school or school district for failing to meet the media materials and equipment standards and media program expenditure standards as set forth in the accreditation standards adopted by the Board.

H. I. The State Board shall not assess a financial penalty against any school district which is given a deficiency in accreditation status during the fiscal years ending June 30, 2015, and June 30, 2016. Accreditation shall not be withdrawn from or denied, nor shall a penalty be assessed against, a school district for complying with this section.
Passed the House of Representatives the 8th day of March, 2016.

Presiding Officer of the House of Representatives

Passed the Senate the 20th day of April, 2016.

Presiding Officer of the Senate

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this 29th
day of April, 2016, at 3:03 o'clock P. M.

By: Audrey Reddell

Approved by the Governor of the State of Oklahoma this 26th
day of April, 2016, at 2:15 o'clock P. M.

Mary Fallin
Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this 26th
day of April, 2016, at 3:24 o'clock P. M.

By: Chris Benge
An Act

An Act relating to schools; amending 70 O.S. 2011, Section 6-122.3, as last amended by Section 7, Chapter 124, O.S.L. 2014 (70 O.S. Supp. 2015, Section 6-122.3), which relates to alternative placement teaching certificates; modifying certain criteria for eligibility of certificate; modifying language related to professional education component; and providing an effective date.

SUBJECT: Alternative placement teaching certificates

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 70 O.S. 2011, Section 6-122.3, as last amended by Section 7, Chapter 124, O.S.L. 2014 (70 O.S. Supp. 2015, Section 6-122.3), is amended to read as follows:

Section 6-122.3 A. The State Board of Education shall grant an alternative placement teaching certificate to a person who makes application to the Board and meets all of the following criteria:

1. Holds

   a. holds at least a baccalaureate degree from an institution whose accreditation is recognized by the Oklahoma State Regents for Higher Education and has attained a retention grade point average of not less than 2.50 on a 4.0 scale, or

2. Has
b. completed a major in a field that corresponds to an area of specialization for an Elementary-Secondary Certificate, a Secondary Certificate or a vocational-technical certificate has successfully completed a terminal degree, such as a doctorate of philosophy, a doctorate in education, professional doctorates, a master of fine arts degree or a master of library science degree, from an institution accredited by a national or regional accrediting agency which is recognized by the Secretary of the United States Department of Education. The Oklahoma State Regents for Higher Education shall be consulted to verify other terminal degrees, or

c. holds at least a baccalaureate degree from an institution whose accreditation is recognized by the Oklahoma State Regents for Higher Education and has qualified work experience in a field that corresponds to an area of certification as determined by the State Board of Education, and

d. in addition to the requirements of subparagraphs a, b and c of this paragraph, has demonstrated competency or completed a major in a field that corresponds to an area of specialization for an Elementary-Secondary Certificate or a Secondary Certificate as determined by the State Board of Education or a vocational-technical certificate as recommended by the Oklahoma Department of Career and Technology Education;

3-2. Declares the intention to earn standard certification by means of an alternative placement program in not more than three (3) years. The State Board of Education shall determine the subject matter of the professional education component of an alternative placement program. The and the number of clock or semester hours required for the professional education component of an alternative placement program needed to qualify for standard certification shall be as follows:

a. baccalaureate degree, eighteen (18) semester hours or two-hundred-seventy (270) clock hours, or

b. postbaccalaureate degree, twelve (12) semester hours or one hundred eighty (180) clock hours
for each person making application for an alternative placement teaching certificate based on the criteria of paragraph 1 of this subsection.

The State Board of Education shall establish a core minimum of six (6) semester hours or ninety (90) clock hours and a maximum of eighteen (18) semester hours or two hundred seventy (270) clock hours for the professional education component.

The requirements set forth in this subsection shall exclude all student teaching requirements pursuant to the provisions of subsection E of this section;

4. Has passed the general education and subject area portions of the competency examination required in Section 6-187 of this title in the area of specialization for which certification is sought; and

5. Either presents a document from an accredited public school district in this state offering employment in the area of specialization for which certification is sought on condition that the person enroll in an alternative placement program approved by the State Board of Education or declares the intention to seek employment as a teacher at an accredited public school district in this state. The certificate granted pursuant to this subsection shall be considered a "valid certificate of qualification" for the purposes of Sections 6-107 and 6-108 of this title, and the holder of the certificate shall be considered a resident teacher for the purposes of Section 6-195 of this title.

B. An alternative placement teaching certificate shall be renewed for not more than a maximum of three (3) years upon presentation of a document from an accredited public school district in this state offering renewed employment in the same area of specialization and a document from a teacher education institution verifying satisfactory progress in an appropriate alternative placement program.

C. Persons enrolled in an alternative placement program shall:

1. Have never been denied admittance to a teacher education program approved by the Oklahoma State Regents for Higher Education, the North Central Association of Colleges and Schools and by the Oklahoma Commission for Teacher Preparation to offer teacher
education programs, nor have enrolled in and subsequently failed courses necessary to successfully meet the minimum requirements of the program, except those persons who hold a certificate;

2. Have on file with the director of teacher education at an Oklahoma institution of higher education a plan for meeting standard certification requirements within three (3) years;

3. Participate in the Residency Program established in Section 6-195 of this title and have the same duties and responsibilities as other resident teachers, except those persons who hold a certificate; and

4. Except for persons participating in the federal Troops To Teachers Program, document at least two (2) years of work experience which is related to the subject area of specialization if the person has only a baccalaureate degree with no postbaccalaureate work in a related area.

D. The State Board of Education may grant an exception to the requirements for certification and, upon demonstration by an individual of specific competency in the subject area of specialization, may grant a certificate to the individual. The State Board may establish other requirements necessary to grant exceptions.

E. Student teaching and a prestudent teaching field experience shall not be required of alternative placement program participants for standard certification.

F. The State Board of Education shall promulgate rules authorizing adjunct teachers who shall be persons with distinguished qualifications in their field. Adjunct teachers shall not be required to meet standard certification. Adjunct teachers shall be limited to ninety (90) clock hours of classroom teaching per semester.

G. Each teacher education institution shall provide the Oklahoma Commission for Teacher Preparation an annual report of information as specified by the Commission regarding participation in the alternative placement programs offered by the institution.

H. The Oklahoma Commission for Teacher Preparation shall not accredit, renew the accreditation of, or otherwise approve any
teacher education program of any institution of higher education in this state that has not implemented alternative placement programs in at least four areas of specialization, including mathematics, science and a foreign language. Each institution shall allow individuals who meet the criteria of subsections A and C of this section to be:

1. Admitted to an alternative placement program without further qualification; and

2. Offered the opportunity to complete the requirements for standard certification set forth in subsection A of this section during the summer preceding and the summer following the first year of teaching with an alternative placement teaching certificate. Any person seeking standard certification through an alternative placement program shall be permitted to take necessary courses during regular semesters if offered.

I. The criteria specified in subsection H of this section can be met through a cooperative arrangement entered into by two or more institutions of higher education.

SECTION 2. This act shall become effective November 1, 2016.
Passed the House of Representatives the 2nd day of May, 2016.

[Signature]
Presiding Officer of the House of Representatives

Passed the Senate the 11th day of April, 2016.

[Signature]
Presiding Officer of the Senate

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this 3rd day of May, 2016, at 10:45 o'clock A.M.
By: [Signature]
Audrey Rockwell

Approved by the Governor of the State of Oklahoma this 9th day of May, 2016, at 1:21 o'clock P.M.

[Signature]
Mary Fallin
Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this 9th day of May, 2016, at 2:44 o'clock P.M.
By: [Signature]
Chris Brown

ENR. H. B. NO. 3025
Page 6
An Act relating to schools; amending 70 O.S. 2011, Section 6-122.3, as last amended by Section 7, Chapter 124, O.S.L. 2014 (70 O.S. Supp. 2015, Section 6-122.3), which relates to alternative placement teaching certification and programs; changing classroom teaching hours limit for adjunct teachers; providing an effective date; and declaring an emergency.

SUBJECT: Alternative placement teaching certification and programs

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 70 O.S. 2011, Section 6-122.3, as last amended by Section 7, Chapter 124, O.S.L. 2014 (70 O.S. Supp. 2015, Section 6-122.3), is amended to read as follows:

Section 6-122.3  A. The State Board of Education shall grant an alternative placement teaching certificate to a person who makes application to the Board and meets all of the following criteria:

1. Holds at least a baccalaureate degree from an institution whose accreditation is recognized by the Oklahoma State Regents for Higher Education and has attained a retention grade point average of not less than 2.50 on a 4.0 scale;

2. Has completed a major in a field that corresponds to an area of specialization for an Elementary-Secondary Certificate, a Secondary Certificate or a vocational-technical certificate;
3. Declares the intention to earn standard certification by means of an alternative placement program in not more than three (3) years. The State Board of Education shall determine the subject matter of the professional education component of an alternative placement program. The number of clock or semester hours required for the professional education component of an alternative placement program needed to qualify for standard certification shall be as follows:

   a. baccalaureate degree, eighteen (18) semester hours or two hundred seventy (270) clock hours, or

   b. postbaccalaureate degree, twelve (12) semester hours or one hundred eighty (180) clock hours.

The State Board of Education shall establish a core minimum of six (6) semester hours or ninety (90) clock hours for the professional education component.

The requirements set forth in this subsection shall exclude all student teaching requirements pursuant to the provisions of subsection E of this section;

4. Has passed the general education and subject area portions of the competency examination required in Section 6-187 of this title in the area of specialization for which certification is sought; and

5. Either presents a document from an accredited public school district in this state offering employment in the area of specialization for which certification is sought on condition that the person enroll in an alternative placement program approved by the State Board of Education or declares the intention to seek employment as a teacher at an accredited public school district in this state. The certificate granted pursuant to this subsection shall be considered a "valid certificate of qualification" for the purposes of Sections 6-107 and 6-108 of this title, and the holder of the certificate shall be considered a resident teacher for the purposes of Section 6-195 of this title.

B. An alternative placement teaching certificate shall be renewed for not more than a maximum of three (3) years upon presentation of a document from an accredited public school district in this state offering renewed employment in the same area of
specialization and a document from a teacher education institution verifying satisfactory progress in an appropriate alternative placement program.

C. Persons enrolled in an alternative placement program shall:

1. Have never been denied admittance to a teacher education program approved by the Oklahoma State Regents for Higher Education, the North Central Association of Colleges and Schools and by the Oklahoma Commission for Teacher Preparation to offer teacher education programs, nor have enrolled in and subsequently failed courses necessary to successfully meet the minimum requirements of the program, except those persons who hold a certificate;

2. Have on file with the director of teacher education at an Oklahoma institution of higher education a plan for meeting standard certification requirements within three (3) years;

3. Participate in the Residency Program, established in Section 6-195 of this title and have the same duties and responsibilities as other resident teachers, except those persons who hold a certificate; and

4. Except for persons participating in the federal Troops To Teachers Program, document at least two (2) years of work experience which is related to the subject area of specialization if the person has only a baccalaureate degree with no postbaccalaureate work in a related area.

D. The State Board of Education may grant an exception to the requirements for certification and, upon demonstration by an individual of specific competency in the subject area of specialization, may grant a certificate to the individual. The State Board may establish other requirements necessary to grant exceptions.

E. Student teaching and a prestudent teaching field experience shall not be required of alternative placement program participants for standard certification.

F. The State Board of Education shall promulgate rules authorizing adjunct teachers who shall be persons with distinguished qualifications in their field. Adjunct teachers shall not be required to meet standard certification. Adjunct teachers shall be
limited to ninety (90) two hundred seventy (270) clock hours of classroom teaching per semester.

G. Each teacher education institution shall provide the Oklahoma Commission for Teacher Preparation an annual report of information as specified by the Commission regarding participation in the alternative placement programs offered by the institution.

H. The Oklahoma Commission for Teacher Preparation shall not accredit, renew the accreditation of, or otherwise approve any teacher education program of any institution of higher education in this state that has not implemented alternative placement programs in at least four areas of specialization, including mathematics, science and a foreign language. Each institution shall allow individuals who meet the criteria of subsections A and C of this section to be:

1. Admitted to an alternative placement program without further qualification; and

2. Offered the opportunity to complete the requirements for standard certification set forth in subsection A of this section during the summer preceding and the summer following the first year of teaching with an alternative placement teaching certificate. Any person seeking standard certification through an alternative placement program shall be permitted to take necessary courses during regular semesters if offered.

I. The criteria specified in subsection H of this section can be met through a cooperative arrangement entered into by two or more institutions of higher education.

SECTION 2. This act shall become effective July 1, 2016.

SECTION 3. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.
Passed the House of Representatives the 25th day of February, 2016.

[Signature]
Presiding Officer of the House of Representatives

Passed the Senate the 5th day of April, 2016.

[Signature]
Presiding Officer of the Senate

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this 16th day of April, 2016, at 2:25 o'clock P.M.
By: [Signature] Audrey Rockwell

Approved by the Governor of the State of Oklahoma this 11th day of April, 2016, at 4:30 o'clock P.M.

[Signature]
Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this 11th day of April, 2016, at 5:05 o'clock P.M.
By: [Signature] Chi Benning
An Act

ENROLLED HOUSE
BILL NO. 3103 By: Caldwell of the House
and
Griffin of the Senate

An Act relating to school district boards of education; amending 26 O.S. 2011, Section 13A-110, as amended by Section 8, Chapter 380, O.S.L. 2015 (26 O.S. Supp. 2015, Section 13A-110), which relates to vacancies on boards of education; providing for the filling of certain vacancies on the board of education by appointment; allowing the appointment of persons who do not reside in certain districts; requiring appointed persons to reside in the school district and meet other eligibility qualifications; limiting service; amending 70 O.S. 2011, Sections 5-110, as last amended by Section 1, Chapter 17, O.S.L. 2013, 5-110.1, as amended by Section 2, Chapter 192, O.S.L. 2012 and 5-110.2 (70 O.S. Supp. 2015, Sections 5-110 and 5-110.1), which relate to instructional requirements for school district board of education members; requiring school district boards of education to declare certain seats vacant within certain time period; adding prohibition to hold certain seat in certain circumstances; modifying certain permanent record; requiring a school district board of education to declare the seat of certain members vacant within certain time period; and directing the State Board of Education to provide certain notification.

SUBJECT: School district boards of education

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:
SECTION 1. AMENDATORY 26 O.S. 2011, Section 13A-110, as amended by Section 8, Chapter 380, O.S.L. 2015 (26 O.S. Supp. 2015, Section 13A-110), is amended to read as follows:

Section 13A-110. A. Vacancies for members of the board of education of every school district or technology center school district shall be filled by appointment by the board. Persons

B. Except as provided for in subsection D of this section, persons appointed to fill such vacancies in the first half of the term of office for the board position shall serve only until the next succeeding election, at which time the office which they hold shall be placed on the ballot for the balance of the unexpired term. Vacancies filled by appointment following the delivery of the resolution calling for regular elections to the secretary of the county election board shall be filled until the regular elections the following year. Persons elected to fill unexpired terms shall begin those terms at the next regular meeting of the board of education following the election. Persons appointed to fill such vacancies after the first half of the term of office for the board position shall serve for the balance of the unexpired term.

C. Except as provided for in subsection D of this section, no person shall be appointed to a board of education who does not meet the eligibility qualifications needed to be a candidate for such position as provided for in Sections Section 13A-106 of this title and Sections 5-110, 5-110.1 and 5-113 of Title 70 of the Oklahoma Statutes.

D. If after the filing period is closed no candidate for an open position on a board of education of a school district has filed and therefore a vacancy is created, the vacancy shall be filled by appointment by the board. Persons appointed to fill such vacancies shall not be required to reside in the board or election district but shall be required to reside in the school district and to meet the other eligibility qualifications needed to be a candidate for the position as provided for in Section 13A-106 of this title and Sections 5-110, 5-110.1 and 5-113 of Title 70 of the Oklahoma Statutes. Persons appointed to fill vacancies as provided for in this subsection shall be eligible to serve only for the balance of the term.

E. If the board of education does not fill the vacancy by appointment within sixty (60) days of the date the board declared the seat vacant, the board of education shall call a special
election to fill the vacancy for the unexpired term. The special election shall be called on a date established by subsection B of Section 3-101 of this title, and the special filing period shall be scheduled as required in subsection D of Section 13A-109 of this title.

SECTION 2. AMENDATORY 70 O.S. 2011, Section 5-110, as last amended by Section 1, Chapter 17, O.S.L. 2013 (70 O.S. Supp. 2015, Section 5-110), is amended to read as follows:

Section 5-110. A. A school district elector who is elected or appointed to be a member of a school district board of education prior to January 1, 2014, shall obtain instruction on education issues in accordance with rules promulgated by the State Board of Education. Except as provided in subsection B of this section, at the time a school district elector files a notification and declaration of candidacy for the office of school district board of education membership or is appointed to be a member of a school district board of education on or after January 1, 2014, the elector shall agree and pledge in writing that, within fifteen (15) months of election or appointment as a member of the district board of education, the member will complete at least twelve (12) hours of instruction on education issues in the following areas: school finance; legal issues, which include but are not limited to employment, due process, new laws, the Oklahoma Open Records Act and the Oklahoma Open Meeting Act; and duties and responsibilities, which include but are not limited to special education and ethics, of district board of education members. Each elector shall agree and pledge in writing to complete at least one (1) hour of instruction in school finance, one (1) hour of instruction in the Oklahoma Open Records Act and the Oklahoma Open Meeting Act and one (1) hour of instruction in ethics. The remaining hours may be satisfied by attending a two-day workshop to be held within the state by the State Department of Education, by the Oklahoma Department of Career and Technology Education, or by attending workshops, seminars or classes which address the above-mentioned subject matter, and which are sponsored by any organization approved by the State Board of Education, including but not limited to institutions of higher education. The State Board of Education shall promulgate rules by which an organization or particular courses offered by an organization may be approved for purposes of fulfilling the instructional requirements set out in this section.

B. When an incumbent of a district board of education files a notification and declaration of candidacy for re-election to the
district board of education, the member shall be required to agree and pledge in writing that upon reelection the member will complete six (6) hours of instruction, within fifteen (15) months of election, including one (1) hour of instruction in school finance, one (1) hour of instruction in the Oklahoma Open Records Act and the Oklahoma Open Meeting Act and one (1) hour of instruction in ethics. The remaining hours may be satisfied by attending a workshop, class or seminar addressing the education issues set forth in subsection A of this section.

C. The State Department of Education shall, immediately after the annual elections of various district board of education members, determine the members of the district boards of education pledged to complete the instructional requirements established in subsections A and B of this section, and shall notify the members of the time and place where workshops, classes and seminars are to be conducted. Upon completion of the instructional requirements, the certificate of completion shall be included in the public records of the school board's minutes. Each school board member, except for an incumbent member, shall be required within fifteen (15) months following or preceding election to complete the workshop established by subsection A of this section or to attend twelve (12) hours of other state workshops, classes or seminars conducted as instruction on the subjects of school finance, legal issues, and the ethics, duties and responsibilities of district board of education members, including at least one (1) hour of instruction in school finance, one (1) hour of instruction in the Oklahoma Open Records Act and the Oklahoma Open Meeting Act and one (1) hour of instruction in ethics.

D. If a school board member, including an incumbent member, has not satisfied the instructional requirements as set forth in this section within fifteen (15) months of election, reelection or appointment, the district board of education shall declare the seat of the member vacant within thirty (30) days of the date of receipt of notice that the member has not completed the requirements as provided for pursuant to Section 5-110.2 of this title and shall fill the vacancy according to law. A school board member who is required to vacate a school board seat pursuant to this subsection shall be ineligible to be reappointed or to run for reelection to or to hold any other board seat on the board of education for a three-year period for three-member boards, or for a five-year period for five-member boards.
E. All government departments, agencies and institutions of this state are directed to lend assistance as may be required by the State Department of Education for the proper conduct and administration of the workshops as authorized in subsection A of this section. The State Department of Education shall maintain a permanent record of the instructional hours and continuing education hours earned for each district board of education member who successfully completes a workshop and shall issue a certificate of completion to the member.

F. The State Department of Education, the Oklahoma Department of Career and Technology Education, and, upon approval of the State Board of Education, any organization or association representing district boards of education in this state are authorized to charge persons pledged to attend a workshop, class or seminar for purposes of meeting the instructional requirements of this section, a registration fee sufficient to defray the estimated costs of presenting the workshop, class or seminar and to collect the fees at the time of registration.

G. Any member of a district board of education or any individual elected, certified as the elected member by the county election board, but not sworn in and seated as a member of a district board of education at the time of a workshop, class or seminar presented by the State Board of Education, the Oklahoma Department of Career and Technology Education, or an organization or association representing district boards of education within the state who attends and successfully completes a workshop, class or seminar as required by subsection A or B of this section shall be reimbursed by the school district in accordance with the travel reimbursement policy of the district.

SECTION 3. AMENDATORY 70 O.S. 2011, Section 5-110.1, as amended by Section 2, Chapter 192, O.S.L. 2012 (70 O.S. Supp. 2015, Section 5-110.1), is amended to read as follows:

Section 5-110.1  A. In addition to the requirements of Section 5-110 of this title, every member of a school district board of education elected to a full term of office of five (5) years or more shall be required to attend a minimum of fifteen (15) hours of continuing education, each member elected to a full four-year term of office shall be required to attend a minimum of twelve (12) hours of continuing education, and each member elected to a full three-year term of office shall be required to attend a minimum of nine (9) hours of continuing education, prior to the date set for filing
for reelection to that respective board seat. The continuing education courses, workshops, seminars, conferences, and conventions which shall satisfy the continuing education requirement shall be approved jointly by the State Department of Education and the Oklahoma Department of Career and Technology Education.

B. Local and state continuing education programs conducted pursuant to the provisions of this section shall be held in all regions of the state at institutions of higher learning, area technology centers or other approved sites. Notice of such courses and seminars shall be provided to all school board members and to the public schools.

C. This section shall not apply to those school board members who file for reelection prior to July 1, 1991.

D. If a school board member has not satisfied the continuing education requirements of this section, the school district board of education shall declare the seat of the member vacant within thirty (30) days of the date of receipt of notice that the member has not completed the requirements as provided for pursuant to Section 5-110.2 of this title and shall fill the vacancy according to law. Failure by a board member to satisfy the continuing education requirements of this section shall result in the ineligibility of the member to be reappointed or to run for reelection to or to hold that respective board seat on the school district board of education or to run for election to or to hold any other board seat on the board of education for a three-year period for three-member boards, for a four-year period for seven-member boards or for a five-year period for five-member boards.

E. The State Department of Education, the Oklahoma Department of Career and Technology Education, and any organization approved by the State Board of Education, including but not limited to institutions of higher education, may charge persons attending continuing education courses a registration fee sufficient to defray the estimated costs of presenting the course. The registration fees for each course shall be announced prior to the date of such course.

F. Any member of a school district board of education who attends and completes a course which satisfies in part or in full the requirements of this section shall be reimbursed by the school district for expenses incurred. In addition, a school district board of education may reimburse members of the board of education for expenses incurred in registering and attending board member
training programs or activities approved by the board which are in addition to the minimum school board training requirements established by law.

SECTION 4. AMENDATORY 70 O.S. 2011, Section 5-110.2, is amended to read as follows:

Section 5-110.2 The State Board of Education shall maintain records of attendance by school board members at continuing education events required pursuant to Sections 5-110 and 5-110.1 of this title and prior to the final opportunity for each school board member who has not completed the continuing education requirements to complete the same, shall notify the school board member by mail before March 1 of each year of any final opportunity to complete these requirements. Upon determining that a school board member did not complete the continuing education requirements of Sections 5-110 or 5-110.1 within the respective period of time, the Board shall immediately notify by certified mail the school district board of education and the school district superintendent that the school board member did not complete the requirements and that the school district board of education is required to declare the seat of that member vacant.
Passed the House of Representatives the 23rd day of May, 2016.

Presiding Officer of the House of Representatives

Passed the Senate the 25th day of May, 2016.

Presiding Officer of the Senate

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this ________________
day of ________________, 20____, at _____ o'clock _____ M.

By: ________________

Approved by the Governor of the State of Oklahoma this ______
day of ________________, 20____, at _____ o'clock _____ M.

Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this ______
day of ________________, 20____, at _____ o'clock _____ M.

By: ________________
An Act

ENROLLED HOUSE
BILL NO. 3109

By: Caldwell of the House
and
Stanislawski of the Senate

An Act relating to schools; amending 70 O.S. 2011, Section 6-101.6, which relates to categories of employment contracts; requiring school districts to annually provide a copy of employee information worksheets to teachers and administrators prior to a certain time; and requiring school districts to designate a person to review worksheets and answer questions upon request.

SUBJECT: School districts employment contracts

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 70 O.S. 2011, Section 6-101.6, is amended to read as follows:

Section 6-101.6 A. All contracts for employment of, or related employee information worksheets for, a teacher or administrator by a district board of education shall include the following categories in a clear and concise format:

1. Employee information including:
   a. employee's name,
   b. degree(s) employee holds,
   c. number of years of teaching credit for salary purposes, and
d. step placement on salary schedule;

2. Salary information including:
   a. pay based on state minimum salary schedule,
   b. district salary supplement,
   c. extra-duty or extracurricular salary amounts, itemized,
   d. other salary,
   e. total salary,
   f. dollar amount of salary paid in cash, and
   g. dollar amount of salary paid in fringe benefits, as defined and allowed by Section 18-114.7 18-114.14 of Title 70 of the Oklahoma Statutes this title, with an itemized list of each benefit and amount paid toward it; and

3. Benefits information including:
   a. state-paid flexible benefit allowance amount,
   b. district-paid retirement contributions (over any amount for retirement insurance paid as part of salary and excluding any amounts paid pursuant to Section 17-108.1 of Title 70 of the Oklahoma Statutes this title),
   c. district-paid health insurance (over any amount paid as part of salary),
   d. other district-paid benefits, such as life, dental, disability, salary protection, vision, cancer, health supplemental insurance (over any amount paid as part of salary),
   e. other benefits, with an itemized list of each benefit and dollar amount paid toward it (not including any benefits paid as part of salary), and
f. total district-paid benefits (not including any benefits paid as part of salary).

B. Beginning with the 2016-2017 school year 2004-05, the school districts shall annually provide to each teacher and administrator a copy of an employee information worksheet containing information for each teacher or administrator in the categories listed in subsection A of this section prior to the first payroll in September. School districts shall designate one or more persons to review the worksheet with any teacher or administrator upon request to answer any questions.

C. The State Department of Education shall require in its annual personnel report the amounts paid in each category set out in subparagraphs a through g of paragraph 2 and subparagraphs a through f of paragraph 3 of subsection A of this section, disaggregated by the categories of administrative personnel and certified teaching personnel.
Passed the House of Representatives the 28th day of April, 2016.

[Signature]
Presiding Officer of the House of Representatives

Passed the Senate the 13th day of April, 2016.

[Signature]
Presiding Officer of the Senate

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this 4th day of May, 2016, at 2:27 o'clock P.M.

By: [Signature]

Approved by the Governor of the State of Oklahoma this 9th day of May, 2016, at 1:23 o'clock P.M.

[Signature]
Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this 9th day of May, 2016, at 2:44 o'clock P.M.

By: [Signature]
An Act relating to schools; creating the Empowering Teachers to Lead Act; establishing the requirements of the Empowering Teachers to Lead framework; listing initial teacher requirements; listing career teacher requirements; listing model teacher requirements; listing mentor teacher requirements; listing lead teacher requirements; requiring certain salary supplements to cover additional contract day costs; directing certain boards of education to appoint a school-district-based review council; specifying membership; establishing application acceptance and review procedures; making certain assignments subject to certain review; prohibiting a reduction in teacher compensation; providing for continuation of certain award for teachers who have National Board Certification; providing for application for approval of a framework or system to the State Department of Education; allowing school districts to opt out of implementation under certain circumstances; providing for certain appeal; directing the Department to establish criteria and process for approval of certain framework or comparable systems; making implementation of certain framework or system apply to certain teachers; authorizing school districts to apply for certain planning grants; making grants subject to appropriations or funding; stating uses of grants; requiring the Department to submit a report and recommendations annually; authorizing the State Board of Education to award teacher leadership supplemental grants; making grants subject to appropriations or funding; limiting use of grants; listing components of a comparable system of career
paths and compensation for teachers; listing leadership roles; listing components of a teacher leadership roles selection process; making school districts that implement a comparable system eligible for certain grants; providing for codification; and providing an effective date.

SUBJECT: Empowering Teachers to Lead Act

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 6-301 of Title 70, unless there is created a duplication in numbering, reads as follows:

This act shall be known and may be cited as the "Empowering Teachers to Lead Act".

SECTION 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 6-302 of Title 70, unless there is created a duplication in numbering, reads as follows:

A. The teacher career paths, leadership roles and compensation requirements under the Empowering Teachers to Lead framework shall be as follows:

1. Initial teacher:

   a. an initial teacher shall complete a teacher residency during the first year of employment that has all of the following characteristics:

      (1) intensive supervision or mentoring by a mentor teacher or lead teacher,

      (2) sufficient collaboration time for the initial teacher in the residency year to be able to observe and learn from model teachers, mentor teachers and lead teachers employed by school districts located in this state, and
(3) frequent observation, evaluation and professional development opportunities, and

b. an initial teacher who completes the requirements of subparagraph a of this paragraph shall be deemed to have satisfied the teacher residency requirements set forth in Section 6-195 of Title 70 of the Oklahoma Statutes;

2. Career teacher. A career teacher for purposes of this section is a teacher who meets the definition of a career teacher in Section 6-101.3 of Title 70 of the Oklahoma Statutes or who meets all of the following requirements:

a. has successfully completed the initial teacher mentoring and induction program and has successfully completed a comprehensive evaluation,

b. has demonstrated the competencies of a career teacher as determined under the comprehensive evaluation of the initial teacher,

c. holds a valid certificate to teach issued by the Board, and

d. participates in teacher professional development as set forth in this section and demonstrates continuous improvement in teaching;

3. Model teacher. A model teacher for purposes of this section is a teacher who meets the requirements of paragraph 2 of this subsection, has met the requirements established by the school district that employs the teacher, is evaluated by the school district as demonstrating the competencies of a model teacher, has participated in a rigorous review process and has been recommended for a one-year assignment as a model teacher by a school-district-based review council appointed pursuant to subsection C of this section. The terms of the teaching contracts issued to model teachers shall exceed by five (5) days the terms of teaching contracts issued to career teachers, and the five (5) additional contract days shall be used to strengthen instructional leadership in accordance with this section. A model teacher shall receive an annual salary supplement of at least One Thousand Five Hundred Dollars ($1,500.00);
4. Mentor teacher. A mentor teacher for purposes of this section is a teacher who is evaluated by the school district as demonstrating the competencies and superior teaching skills of a mentor teacher and has been recommended for a one-year assignment as a mentor teacher by a school-district-based review council appointed pursuant to subsection C of this section. In addition, a mentor teacher shall hold a valid certificate to teach issued by the State Board of Education, have a minimum of five (5) years of experience as a classroom teacher, participate in teacher professional development as outlined in this section, demonstrate continuous improvement in teaching and possess the skills and qualifications to assume leadership roles. A mentor teacher shall have a teaching load of not more than seventy-five percent (75%) student instruction to allow the teacher to mentor other teachers. The terms of the teaching contracts issued to mentor teachers shall exceed by ten (10) days the terms of teaching contracts issued to career teachers, and the ten (10) additional contract days shall be used to strengthen instructional leadership in accordance with this subsection. A mentor teacher shall receive an annual salary supplement of at least Three Thousand Dollars ($3,000.00); and

5. Lead teacher. A lead teacher for purposes of this section is a teacher who holds a valid certificate to teach issued by the Board, has a minimum of five (5) years of experience as a classroom teacher, has completed a mentor or coaching training program and has been recommended for a one-year assignment as a lead teacher by a school-district-based review council appointed pursuant to subsection C of this section. The recommendation from the council shall assert that the teacher possesses superior teaching skills and the ability to lead adult learners. A lead teacher shall assume leadership roles that may include but are not limited to the planning and delivery of professional development activities designed to improve instructional strategies, the facilitation of an instructional leadership team within the building in which the lead teacher is assigned, the school district or other school districts, the mentoring of other teachers and participation in the evaluation of student teachers. A lead teacher shall have a teaching load of not more than fifty percent (50%) student instruction to allow the lead teacher to spend time on coteaching, coplanning, peer reviews, observing career teachers, model teachers and mentor teachers and other duties mutually agreed upon by the superintendent and the lead teacher. The duties of a lead teacher may satisfy the qualitative evaluation component for teachers as required in the Oklahoma Teacher and Leader Effectiveness Evaluation System. The terms of the teaching contracts issued to lead teachers shall exceed by
fifteen (15) days the terms of teaching contracts issued to career teachers, and the fifteen (15) additional contract days shall be used to strengthen instructional leadership in accordance with this subsection. A lead teacher shall receive an annual salary supplement of at least Five Thousand Dollars ($5,000.00).

B. The salary supplement received by a teacher assigned to a leadership role shall fully cover the salary costs of the additional contract days required of teachers in those leadership roles. Notwithstanding any provision of law to the contrary, the determinations of salary supplements paid pursuant to this section shall not be subject to appeal. A teacher in a leadership role may only receive the salary supplement for the duration of time served in that role.

C. 1. The board of education of a school district approved to implement the framework as described in this section or a comparable system of career paths shall appoint a school-district-based review council. School-district-based review councils shall be composed of both teachers and administrators.

2. The council shall accept and review applications submitted to the administration of the school or school district for assignment or reassignment in a teacher leadership role and shall make recommendations regarding the applications to the superintendent of the school district. In developing recommendations, the council shall utilize measures of teacher effectiveness and professional growth, consider the needs of the school district and review the performance and professional development of the applicants. Any teacher recommended for assignment or reassignment in a teacher leadership role shall have demonstrated competency on the Oklahoma teaching standards to the satisfaction of the council.

3. An assignment in a teacher leadership role under an approved framework or comparable system shall be subject to review by the administration of the school or school district at least annually. The review shall include peer feedback on the effectiveness of the performance of duty by the teacher specific to the career path of the teacher. A teacher who completes the time period of assignment in a teacher leadership role may apply to the administration of the school or school district for assignment in a new role, if appropriate, or for reassignment.
D. A teacher employed in a school district shall not receive less compensation in that district than the teacher received in the school year preceding implementation of the framework or a comparable system approved pursuant to this section. A teacher who achieves National Board Certification from the National Board for Professional Teaching Standards and meets the requirements of the Education Leadership Oklahoma Act shall continue to receive the award as specified in Section 6-204.1 of Title 70 of the Oklahoma Statutes in addition to the compensation set forth in this section.

E. 1. A school district may apply to the Department for approval to implement the career paths, leadership roles and compensation framework specified in subsection A of this section or a comparable system of career paths and compensation for teachers that contains differentiated multiple leadership roles. Applications shall be submitted by a date established by the Department.

2. A school district approved to implement the framework or a comparable system pursuant to this subsection shall apply to the Department prior to May 1 of the preceding school year for any proposed change to the framework or comparable system.

3. By March 15 of the school year preceding implementation, a school district that has been approved to implement the framework or a comparable system pursuant to this subsection may opt out of implementation of the framework or comparable system by notifying the Department of its intent to withdraw from implementation. A school district that has opted out of implementation of the framework or comparable system shall not be eligible to receive teacher leadership supplement foundation aid as provided for in this section.

4. A school district whose application for approval to implement a comparable system or modified comparable system is denied may appeal the decision of the Department to the State Board.

F. The Department shall establish criteria and a process for application and approval of the framework established under subsection A of this section and shall work with districts to determine requirements for appropriate comparable systems.

G. The framework or comparable system approved and implemented by a school district in accordance with this section shall be
applicable to teachers in every school site within the school district.

H. Subject to the appropriation of funds or the availability of federal funds for purposes of this subsection, a school district may apply to the Department for a planning grant to design an implementation strategy for the framework established pursuant to subsection A of this section or a comparable system of career paths and compensation for teachers that contains differentiated multiple leadership roles. The planning grant shall be used to facilitate a local decision-making process that includes representation of administrators, teachers and parents and guardians of students. The Department shall establish and make available an application for planning grants for purposes of this subsection.

I. By December 15 annually, the Department shall submit a report and any recommendations including but not limited to any recommendations for changes to the framework established in subsection A of this section to the Board, the Governor, the Speaker of the House of Representatives and the President Pro Tempore of the Senate. The report shall also include information on teacher retention, compensation, academic quality of beginning teachers, evaluation results, student achievement trend and comparative data and recommendations for changes to the framework or comparable systems and teacher leadership supplemental grants.

J. 1. Subject to the appropriation of funds or the availability of federal funds, the Board may award teacher leadership supplemental grants to school districts to be used to implement a framework or a comparable system in accordance with this act.

2. Monies provided through a teacher leadership supplemental grant shall not be combined with regular wages to create a combined salary.

SECTION 3. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 6-303 of Title 70, unless there is created a duplication in numbering, reads as follows:

A. Any comparable system of career paths and compensation for teachers approved pursuant to Section 2 of this act shall include, at a minimum, all of the following components:
1. Increased support for new teachers and career teachers where appropriate, such as additional coaching, mentoring and opportunities for observing exceptional instructional practice;

2. Differentiated, multiple teacher leadership roles beyond the initial teacher and career teacher levels. These leadership roles may include but shall not be limited to the following:

a. instructional coaches who engage full-time or part-time in instructional coaching,

b. peer coaches who provide additional guidance in one or more aspects of the teaching profession to other teachers during normal noninstructional time. Peer coaches may be used only as one element of a more extensive teacher leadership plan,

c. curriculum and professional development leaders who engage full-time or part-time in the planning, development and implementation of curriculum and professional development,

d. model teachers who teach full-time and serve as models of exemplary teaching practice,

e. mentor teachers who teach full-time or part-time and also support the professional development of initial and career teachers, and

f. lead teachers who teach full-time or part-time and also plan and deliver professional development activities or engage in other activities designed to improve instructional strategies;

3. A rigorous selection process for placement into and retention in teacher leadership roles. The process shall include all of the following components:

a. the use of measures of effectiveness and professional growth to determine suitability for the role,

b. a selection committee that includes teachers and administrators who shall accept and review applications for assignment or reassignment to a teacher leadership role and shall make recommendations
regarding the applications to the superintendent of the school district,

c. an annual review of the assignment to a teacher leadership role by the administration of the school or school district. The review shall include peer feedback on the effectiveness of the performance of duty of the teacher specific to the leadership role of the teacher. A teacher who completes the time period of assignment to a leadership role may apply to the administration of the school or school district for assignment in a new leadership role, if appropriate, or for reassignment, and

d. a requirement that a teacher assigned to a leadership role shall have at least three (3) years of teaching experience, and at least one (1) year of experience in the school district; and

4. A professional development system facilitated by teachers and other education experts and aligned with the professional development standards adopted by the Board.

B. Subject to the appropriation of funds or availability of federal funds, a school district approved to implement a comparable system pursuant to Section 2 of this act and which meets the requirements of this section shall be eligible to receive teacher leadership supplemental grants as provided for in Section 2 of this act.

SECTION 4. This act shall become effective November 1, 2016.
Passed the House of Representatives the 2nd day of May, 2016.

Presiding Officer of the House of Representatives

Passed the Senate the 20th day of April, 2016.

Presiding Officer of the Senate

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this 3rd day of May, 2016, at 10:45 o'clock A.M.
By: Audrey Reedwell

Approved by the Governor of the State of Oklahoma this 9th day of May, 2016, at 1:24 o'clock P.M.

Mary Fallin
Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this 9th day of May, 2016, at 2:44 o'clock P.M.
By: Chris E. Benge

ENR. H. B. NO. 3114
An Act

ENROLLED HOUSE
BILL NO. 3115
By: Martin of the House

and

Smalley of the Senate

An Act relating to schools; amending 70 O.S. 2011, Section 16-102, which relates to the selection of textbooks; modifying definition of textbooks; providing an effective date; and declaring an emergency.

SUBJECT: Textbooks

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 70 O.S. 2011, Section 16-102, is amended to read as follows:

Section 16-102. A. The State Textbook Committee shall meet at the call of the chairperson as often as necessary, with two (2) weeks' public notice, to discharge its responsibilities. If necessary, not later than the first day of December of each year the State Textbook Committee shall meet at the call of the chairperson at the State Capitol and select textbooks for subjects taught in the public schools of the state up to and including the twelfth grade, which selections shall be for not more than six (6) years for every textbook.

B. The Committee may suspend any currently pending selection process of textbooks and may extend by at least two (2) years the six-year adoption period of those textbooks currently on the state adopted list, for the purpose of delaying for two (2) years the six-year adoption cycle of subjects.
C. "Textbooks", as used in Sections 16-101 through 16-124 of this title, means instructional materials that are designed for use by pupils as a learning resource. Instructional materials may be printed or nonprinted and may include textbooks, technology-based and other educational materials. Technology-based materials do not include the equipment required to make use of those materials.

D. The Committee shall select textbooks or series of textbooks for each subject, which are in its judgment satisfactory. The State Textbook Committee may determine that unusual or extraordinary circumstances exist in a particular subject area during the period for which textbooks have been selected for that subject area. Unusual or extraordinary circumstances shall include but not be limited to significant new techniques of teaching in a particular subject area or significant new findings or discoveries in a particular subject area. Upon a determination by three-fourths (3/4) of the members of the State Textbook Committee that unusual or extraordinary circumstances exist in a particular subject area, the Committee may select one or more textbooks in that subject area for the remainder of the adoption period.

E. Five or more district boards of education may petition the State Board of Education to add a book or series of textbooks to the approved list selected by the State Textbook Committee.

The State Board of Education shall promulgate rules to implement the method and time frame for handling the petitions in the most expeditious manner.

SECTION 2. This act shall become effective July 1, 2016.

SECTION 3. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.
Passed the House of Representatives the 29th day of February, 2016.

[Signature]
Presiding Officer of the House of Representatives

Passed the Senate the 11th day of April, 2016.

[Signature]
Presiding Officer of the Senate

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this 12th day of April, 2016, at 2:46 o'clock P.M.
By: [Signature]

Approved by the Governor of the State of Oklahoma this 18th day of April, 2016, at 2:46 o'clock P.M.

[Signature]
Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this 18th day of April, 2016, at 3:05 o'clock P.M.
By: [Signature]
An Act relating to schools; amending 70 O.S. 2011, Section 1-116, as amended by Section 1, Chapter 124, O.S.L. 2014 (70 O.S. Supp. 2015, Section 1-116), which relates to definitions of positions in a school system; amending 70 O.S. 2011, Section 6-101.3, as last amended by Section 1 of Enrolled House Bill No. 2957 of the 2nd
Session of the 55th Oklahoma Legislature, which relates to teacher definitions; modifying definitions; amending 70 O.S. 2011, Sections 1210.507, as last amended by Section 7, Chapter 430, O.S.L. 2014 and 1210.508, as last amended by Section 8, Chapter 430, O.S.L. 2014 (70 O.S. Supp. 2015, Sections 1210.507 and 1210.508), which relate to the Oklahoma School Testing Program Act; changing the word test to assessment; requiring the State Board of Education to administer assessments by certain means; authorizing school districts to select the means for administering assessments; directing the Board to adopt a statewide system of student assessments by a certain date; requiring system to be aligned with certain standards; requiring the Board to issue request for proposals for assessments and adopt assessments from selected proposals; providing for administration of selected assessments for a certain period beginning during certain school year; listing certain criteria for assessments; specifying assessment subjects to be administered during certain school years; allowing certain types of assessments to be included in the statewide student assessment system; requiring students to take certain assessments in order to graduate from high school; requiring students to meet certain other high school graduation requirements adopted by the Board; directing school districts to adopt an assessment plan for certain students; directing the Board to promulgate rules to ensure that certain transferred students can be awarded a standard diploma; requiring assessments scores to be reported on the high school transcript of students; modifying remediation requirement; deleting requirement to administer certain criterion-referenced tests; deleting requirement to administer certain end-of-instruction tests; deleting certain retake requirements; deleting requirement to report end-of-instruction test scores on high school transcripts; deleting arts assessment requirements and reports; changing references from criterion-referenced tests and end-of-instruction tests to assessments; adding date for reporting preliminary results; modifying uses of certain data; deleting certain coordination requirement; changing duty of the Board to set the testing window dates; deleting certain testing window requirements; changing date for reporting certain results; deleting authorization to
participate in a multistate or multigovernmental cooperative; requiring the Board to study and develop assessment requirements in conjunction with certain entities; specifying certain criteria to be included in the assessment requirements; requiring an opportunity for public comment; directing the Board to make a report by a certain date; requiring the Board to adopt the assessment requirements by a certain date; making the assessment requirements subject to legislative review; requiring submission of requirements to certain persons by certain date; providing process for legislative review and approval; allowing the Board to revise or adopt new requirements and submit for legislative review; establishing assessment requirements if requirements are not approved; considering requirements final agency rules upon final approval; requiring submission of requirements to the Secretary of State and certain publication; exempting certain joint resolutions from regular legislative cutoff dates; amending 70 O.S. 2011, Sections 1210.508B, as amended by Section 9, Chapter 430, O.S.L. 2014 and 1210.508C, as last amended by Section 1, Chapter 364, O.S.L. 2015 (70 O.S. Supp. 2015, Sections 1210.508B and 1210.508C), which relate to the Reading Sufficiency Act; amending 70 O.S. 2011, Section 1210.515, as amended by Section 1, Chapter 337, O.S.L. 2013 (70 O.S. Supp. 2015, Section 1210.515), which relates to reading ability required for a driver license or permit; amending 70 O.S. 2011, Section 1210.541, as last amended by Section 1, Chapter 163, O.S.L. 2014 (70 O.S. Supp. 2015, Section 1210.541), which relates to student performance levels and cut scores; amending 70 O.S. 2011, Section 1210.545, as last amended by Section 1, Chapter 362, O.S.L. 2015 (70 O.S. Supp. 2015, Section 1210.545), which relates to annual reports of the Oklahoma School Testing Program; changing references from criterion-referenced tests and end-of-instruction tests to assessments; clarifying statutory language; updating statutory citation; directing the State Department of Education to include certain explanation in school report cards during certain years; requiring the Department to issue school report cards using certain data; repealing 70 O.S. 2011, Sections 1210.506 and 1210.508-1, which relate to the Oklahoma School Testing Program Act; repealing 70
O.S. 2011, Sections 1210.521, 1210.522, 1210.523, as last amended by Section 26, Chapter 4, O.S.L. 2014, 1210.525 and 1210.526, as last amended by Section 2 of Enrolled Senate Bill No. 1105 of the 2nd Session of the 55th Oklahoma Legislature (70 O.S. Supp. 2015, Section 1210.523), which relate to the Achieving Classroom Excellence Act of 2005; providing for noncodification; providing an effective date; and declaring an emergency.

SUBJECT: Education

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 70 O.S. 2011, Section 1-116, as amended by Section 1, Chapter 124, O.S.L. 2014 (70 O.S. Supp. 2015, Section 1-116), is amended to read as follows:

Section 1-116. As used in this act title:

1. "Teacher" means any person who is employed to serve as district superintendent, principal, supervisor, a counselor, librarian, school nurse or classroom teacher, or in any other instructional, supervisory, or administrative capacity, is defined as a teacher. Such person shall not be deemed qualified unless the person holds a valid certificate issued by and in accordance with the rules of the State Board of Education, to perform the particular services for which the person is employed;

2. "Superintendent" or "superintendent of schools" means the executive officer of the board of education and the administrative head of the school system of a district maintaining an accredited school, provided the person holds an administrator's certificate recognized by the State Board of Education;

3. "Principal" means any person other than a district superintendent of schools having supervisory or administrative authority over any school or school building having two or more teachers. A teaching principal shall be a principal who devotes at least one-half (1/2) the time school is in session to classroom teaching. Teaching principals shall be required to hold administrative certificates;
4. "Teachers" means, for purposes of complying with the State Aid Law and other statutes, but not any other provision of law, which apportion money on the basis of teaching units or the number of teachers employed or qualified, all persons holding proper certificates and connected in any capacity with the instruction of pupils;

5. "Resident teacher" means any certified teacher who is employed in a local school to serve as a classroom teacher under the guidance and assistance of a mentor teacher or teachers and residency committee. Any such person a resident teacher shall have completed the program of the college or school of education of the accredited institution of higher learning from which the person has been resident teacher graduated;

6. "Student teacher" means any student who is enrolled in an institution of higher learning approved by the State Board of Education for teacher training and who is jointly assigned by such the institution of higher learning and a school district's board of education of a school district to perform practice teaching under the direction of a regularly employed and certified teacher. A student teacher, while serving a nonsalaried internship under the supervision of a certified teacher, shall be accorded the same protection of the laws as that accorded the certified teacher;

7. "School nurse" means a person employed full time by a board of education who is a registered nurse licensed by the Oklahoma State Board of Nurse Registration and Nursing Education and is certified the same as a teacher by the State Department Board of Education. Provided, that any person who is employed as a full-time school nurse in any school district in Oklahoma, but who is not registered on the effective date of this act may continue to serve in the same capacity; however, such person shall, under rules adopted by the State Board of Education, attend classes in nursing and prepare to become registered.

A school nurse employed by a board of education shall be accorded the same protection of laws and all other benefits accorded a certified teacher; and

8. "Support employee" means an employee who provides those services which are not performed by certified teachers, principals, superintendents or administrators and which are necessary for the efficient and satisfactory functioning of a school district.
SECTION 2. AMENDATORY 70 O.S. 2011, Section 6-101.3, as last amended by Section 1 of Enrolled House Bill No. 2957 of the 2nd Session of the 55th Oklahoma Legislature, is amended to read as follows:

Section 6-101.3 As used in Section 6-101 et seq. of this title:

1. "Administrator" means a duly certified person who devotes a majority of time to service as a superintendent, elementary superintendent, principal, supervisor, vice principal or in any other administrative or supervisory capacity in the school district;

2. "Dismissal" means the discontinuance of the teaching service of an administrator or teacher during the term of a written contract, as provided by law;

3. "Nonreemployment" means the nonrenewal of the contract of an administrator or teacher upon expiration of the contract;

4. "Career teacher" means a teacher who:

   a. is employed by a school district prior to the 2017-2018 school year and has completed three (3) or more consecutive complete school years as a teacher in one school district under a written continuing or temporary teaching contract, or

   b. is employed for the first time by a school district under a written continuing or temporary teaching contract during the 2017-2018 school year and thereafter:

      (1) has completed three (3) consecutive complete school years as a teacher in one school district under a written continuing or temporary teaching contract and has achieved a district evaluation rating of "superior" as measured pursuant to the TLE as set forth in Section 6-101.16 of this title for at least two (2) of the three (3) school years,

      (2) has completed four (4) consecutive complete school years as a teacher in one school district under a written continuing or temporary teaching
contract, has averaged a district evaluation rating of at least "effective" as measured pursuant to the TLE for the four-year period, and has received district evaluation ratings of at least "effective" for the last two (2) years of the four-year period, or

(3) has completed four (4) or more consecutive complete school years in one school district under a written continuing or temporary teaching contract and has not met the requirements of subparagraph a or b of this paragraph, only if the principal of the school at which the teacher is employed submits a petition to the superintendent of the school district requesting that the teacher be granted career status, the superintendent agrees with the petition, and the school district board of education approves the petition. The principal shall specify in the petition the underlying facts supporting the granting of career status to the teacher;

5. "Teacher hearing" means the hearing before a school district board of education after a recommendation for dismissal or nonreemployment of a teacher has been made but before any final action is taken on the recommendation, held for the purpose of affording the teacher all rights guaranteed by the United States Constitution and the Constitution of Oklahoma under circumstances and for enabling the board to determine whether to approve or disapprove the recommendation;

6. "Probationary teacher" means a teacher who:

a. is employed by a school district prior to the 2017-2018 school year and has completed fewer than three (3) consecutive complete school years as a teacher in one school district under a written teaching contract, or

b. is employed for the first time by a school district under a written teaching contract during the 2017-2018 school year and thereafter and has not met the requirements for career teacher as provided in paragraph 4 of this section;
7. "Suspension" or "suspended" means the temporary discontinuance of the services of an administrator or teacher, as provided by law;

8. "Teacher" means a duly certified person who is employed to serve as a counselor, librarian or school nurse or in any instructional capacity; an administrator shall be considered a teacher only with regard to service in an instructional, nonadministrative capacity defined as a teacher in Section 1-116 of this title; and

9. "District evaluation rating" means the rating issued based on the components of the TLE as set forth in subsection B of Section 6-101.16 of this title.

SECTION 3. AMENDATORY 70 O.S. 2011, Section 1210.507, as last amended by Section 7, Chapter 430, O.S.L. 2014 (70 O.S. Supp. 2015, Section 1210.507), is amended to read as follows:

Section 1210.507  A. The State Board of Education shall promulgate rules necessary for the implementation and administration of the provisions of the Oklahoma School Testing Program Act.

B. The State Board of Education shall require school district boards of education to annually provide information to the district's students, parents of students, and the public at large about the proper meaning and use of tests assessments administered pursuant to the provisions of the Oklahoma School Testing Program Act. The Department shall develop materials and make them available to school districts regarding the Oklahoma School Testing Program.

C. 1. Students enrolled in an online course or program that is offered by a school district or charter school that is not the district of residence or is not located in the district of residence of the student shall be provided the opportunity to take any test assessment required pursuant to the Oklahoma School Testing Program Act or any other test assessment generally required of students by the school district in which the student is enrolled at an alternative testing location approved by the State Board of Education. The alternative testing locations may be at sites that are not in the school district that is offering the online course or program or the district of residence. Alternative testing locations may include technology center school sites or any other testing location selected by the school district or charter school offering the online course or program. All alternative testing locations
shall be subject to testing location rules promulgated by the State Board of Education. The school district or charter school offering the online course or program shall be responsible for any cost incurred in providing an alternative testing location and any additional cost of administering a test assessment at an alternative testing location. In order to provide alternative testing locations at geographically dispersed sites, the school district or charter school offering the online course or program shall, at a minimum, provide not less than six alternative testing locations, with at least one location in each quadrant of the state and in each of the two metropolitan areas in the state. Additional alternative testing locations may be provided by the school district or charter school offering the online course or program.

2. The performance of students on any test assessment required pursuant to the Oklahoma School Testing Program Act or any other test assessments generally required of students by the school district who are enrolled full-time in an online program that is offered by a school district or charter school that is not the district of residence or is not located in the district of residence of the student shall be reported separately by the school district or charter school and shall not be included when determining the performance levels of the school district or charter school in the Oklahoma School Testing Program as reported in the Oklahoma Educational Indicators Program.

D. The State Board of Education shall seek to establish and post on the Internet a sample test assessment item bank that will be made available to teachers and will allow them to create and deliver classroom assessments throughout the school year to check for student mastery of key concepts assessed by the criterion-referenced tests assessments administered to students pursuant to the Oklahoma School Testing Program Act. Subject to the availability of funds, the Board shall annually release end-of-instruction test assessment items and make them available to the public.

E. The State Board of Education shall post on the Internet criterion-referenced sample tests assessments for each grade level and subject matter test assessment administered to students pursuant to the Oklahoma School Testing Program Act for the purpose of communicating expectation concerning test the difficulty level and format to teacher, parents and students. The Board shall maintain the sample tests assessments on the Internet throughout the year and, as changes are made in the state academic content standards, shall update the sample tests assessments. The Board shall seek to
expand the number of sample test assessments items each year and to revise test items as needed. The sample test assessments shall reflect the actual test assessments administered to students and may contain questions used on actual test assessments given in previous years.

F. The State Board of Education shall seek to may implement an electronic delivery system for all test assessments administered pursuant to the Oklahoma School Testing Program Act that will allow students to participate in computer-based assessments in order to expedite the delivery and use of the test results. Notwithstanding the requirement to implement online or computer-based assessments as otherwise provided by law, in If the Board implements an electronic delivery system for assessments, the Board shall continue to administer all assessments by another means, including but not limited to printed assessments. If options are available, school districts shall have the authority to select the means of administration of all assessments administered in that district. In circumstances where the administration or delivery of an online or computer-based assessment has been or will be disrupted, delayed or cause problems with student participation, the Board may stop or cancel the online or computer-based assessment and administer the assessment by another means.

SECTION 4. AMENDATORY 70 O.S. 2011, Section 1210.508, as last amended by Section 8, Chapter 430, O.S.L. 2014 (70 O.S. Supp. 2015, Section 1210.508), is amended to read as follows:

Section 1210.508 A. 1. The By no later than December 31, 2016, the State Board of Education shall develop and administer a series of criterion-referenced tests designed to indicate whether the subject matter standards, as defined by the State Board of Education, which Oklahoma public school students are expected to have attained have been achieved. The Board may develop and administer any criterion-referenced test in any subject not required by federal law, contingent upon the availability of funding adopt a statewide system of student assessments in compliance with the Elementary and Secondary Education Act of 1965 (ESEA), as reauthorized and amended by P.L. No. 114-95, also known as the Every Student Succeeds Act (ESSA).

2. The statewide student assessment system adopted by the Board pursuant to this subsection shall be aligned with the Oklahoma Academic Standards as adopted by the Board and which prepare students for college and careers.
B. 1. The Board shall issue a request for proposals for the selection of assessments to be administered to students in grades three through twelve as a part of the statewide student assessment system adopted by the Board pursuant to this section.

2. The Board shall adopt assessments from the selected proposals that were submitted pursuant to paragraph 1 of this subsection. The adopted assessments shall be administered by the Board for a period that is in coordination with the six-year subject area textbook adoption cycle unless the vendor does not fulfill the terms of the contract or fails to comply with or violates the terms of the contract. The Board shall administer the assessments beginning with the 2017-2018 school year.

C. The statewide student assessment system adopted by the Board pursuant to this section shall include assessments that:

1. Are aligned with the Oklahoma subject matter standards as adopted by the Board;

2. Provide a measure of comparability among other states;

3. Yield both norm-referenced scores and criterion-referenced scores;

4. Have a track record of statistical reliability and accuracy; and

5. For assessments administered in high school, provide a measure of future academic performance.

D. For the 2016-2017 school year, the Board shall administer assessments in:

1. English Language Arts or Reading and Mathematics in grades three through eight and at least once in high school, during the grade span of nine through twelve;

2. Science not less than once during each grade span of three through five, six through nine and ten through twelve; and

3. United States History not less than once during the grade span of nine through twelve.
E. 1. Beginning with the 2017-2018 school year, the statewide student assessment system shall include assessments in:

a. English Language Arts and Mathematics in grades three through eight and at least once in high school, during the grade span of nine through twelve,

b. Science not less than once during each grade span of three through five, six through nine and ten through twelve, and

c. United States History not less than once during the grade span of nine through twelve.

2. Beginning with the 2017-2018 school year, the statewide student assessment system may include:

a. assessments in Reading and Writing in certain grades as determined by the Board, and

b. contingent upon the availability of funds, an additional nationally recognized college- and career-readiness assessment or assessments as recommended by the State Department of Education which will be administered to students in high school at no cost to the student.

F. 1. Beginning with students entering the ninth grade in the 2017-2018 school year, each student shall take the assessment or assessments included in the statewide student assessment system adopted by the Board pursuant to subsection A of this section in order to graduate from a public high school with a standard diploma. All students shall take the assessment or assessments prior to graduation, unless otherwise exempt by law.

2. Beginning with students entering the ninth grade in the 2017-2018 school year, each student, in addition to taking the assessment or assessments included in the statewide student assessment system adopted by the Board pursuant to subsection A of this subsection, shall meet any other high school graduation requirements adopted by the Board pursuant to Section 5 of this act in order to graduate from a public high school with a standard diploma.
3. For students who start the ninth grade prior to or during the 2016-2017 school year, school districts shall adopt a plan that establishes the assessment or assessments those students are required to take in order to graduate from a public high school with a standard diploma. The plan may also include any or all of the other high school graduation requirements adopted by the Board pursuant to Section 5 of this act that those students will be required to meet in order to graduate from a public high school with a standard diploma.

4. The Board shall promulgate rules to ensure that students who transfer into an Oklahoma school district from out-of-state after the junior year of high school shall not be denied the opportunity to be awarded a standard diploma due to differing testing requirements.

G. In order to provide an indication of the levels of competency attained by the student in a permanent record for potential future employers and institutions of higher education, school districts shall report on the high school transcript of the student the highest-achieved score on the assessment or assessments included in the statewide student assessment system adopted by the Board pursuant to subsection A of this subsection and any business- and industry-recognized endorsements attained.

H. Students who do not perform at least at the proficient proficiency level on tests assessments shall be remediated as established in the assessment requirements adopted by the Board pursuant to Section 5 of this act, subject to the availability of funding.

2. Contingent upon the availability of state and federal funds, the Board, in accordance with federal law, shall administer criterion-referenced tests for grades three and four in:
   a. reading, and
   b. mathematics.

3. Contingent upon the availability of funds, the Board shall administer criterion-referenced tests for grade five in:
   a. reading,
   b. mathematics,
c. science,
d. social studies, which shall consist of the history, Constitution and government of the United States, and geography, and
e. writing of English.

4. Contingent upon the availability of state and federal funds, the Board, in accordance with federal law, shall administer criterion-referenced tests for grades six and seven in:

a. reading, and
b. mathematics.

In addition, the Board shall administer a criterion-referenced test in geography in grade seven.

5. Contingent upon the availability of funds, the Board shall administer criterion-referenced tests for grade eight in:

a. reading,
b. mathematics,
c. science,
d. social studies, which shall consist of the history, Constitution, and government of the United States, and
e. writing of English.

The Board shall administer the tests for grade eight in reading and mathematics online with raw score test results reported immediately and complete results reported in less than two (2) weeks beginning in the 2007-08 school year.

6. Except as otherwise provided for in Section 1210.523 of this title, each student who completes the instruction for English II, English III, United States History, Biology I, Algebra I, Geometry, and Algebra II at the secondary level shall complete an end-of-instruction test, when implemented, to measure for attainment in the appropriate subject matter standards in order to graduate from a
public high school with a standard diploma. All students shall take the tests prior to graduation, unless otherwise exempt by law. The State Board of Education shall administer the criterion-referenced tests. The Board shall develop and field test the end-of-instruction tests in English III, Geometry, and Algebra II during the 2006-07 school year, implement the tests during the 2007-08 school year, and administer them each year thereafter. The Board shall administer the multiple-choice portion of the end-of-instruction tests online with raw score test results reported immediately and complete results reported in less than two (2) weeks beginning in the 2008-09 school year.

The end-of-instruction tests shall serve the purpose of the criterion-referenced tests as provided in paragraph 1 of this subsection. The English II and English III end-of-instruction tests shall include a writing component. Students who do not score at least at the proficient level shall be afforded the opportunity to retake each test up to three (3) times each calendar year until at least achieving at the proficient level. In order to provide an indication of the levels of competency attained by the student in a permanent record for potential future employers and institutions of higher education, for students who enter the ninth grade in or prior to the 2007-08 school year, school districts shall report the highest-achieved state test performance level on the end-of-instruction tests on the student's high school transcript. Beginning with students who enter the ninth grade in the 2008-09 school year, school districts shall report the highest-achieved state test performance level on the end-of-instruction tests and any business and industry-recognized endorsements attained on the student's high school transcript. Any student at the middle school level who completes the instruction in a secondary course specified in this paragraph shall be administered the appropriate end-of-instruction test.

7. a. Each school district shall administer to each student in the school district in grades three through eight an assessment designed to assess the student in the fine art area in which the student has received instruction.

b. Each school district shall prepare an annual report for approval by the State Board of Education outlining the fine arts assessment strategies used by the district, when the assessments were administered, how
many students were assessed during the previous year, and the results of the assessments.

B. I. 1. All criterion-referenced tests assessments required by this section shall measure academic competencies in correlation with the subject matter standards adopted by the Board pursuant to Sections 11-103.6 and 11-103.6a of this title and referred to as the Oklahoma Academic Standards. The State Board of Education shall evaluate the subject matter standards to ensure the competencies reflect high standards, are specific, well-defined, measurable, challenging, and will prepare elementary students for next-grade-level course work and secondary students for postsecondary studies at institutions of higher education or technology center schools without the need for remediation. All subject matter standards shall reflect the goals as set forth in Section 11-103.6 of this title and of improving the state average ACT score.

2. The State Department of Education shall annually evaluate the results of the criterion-referenced tests assessments. The State Board of Education shall ensure that test preliminary results for all statewide assessments are reported to districts no later than June 1 of each year and are presented in a manner that yields detailed, diagnostic information for the purpose of guiding instruction and student remediation. As improvements are made to the criterion-referenced tests assessments required by this section, the Board shall seek to increase the depth of knowledge assessed for each subject. The State Board of Education shall seek to ensure that data yielded from the tests assessments required in this section are utilized at the school district level to prescribe reinforcement and/or remediation by requiring school districts to develop and implement a specific program of improvement based on the test results inform instruction, professional development, school improvement and remediation for students.

3. The State Board of Education in coordination with the Office of Educational Quality and Accountability shall review, realign, and recalibrate, as necessary, the tests in reading and mathematics in third through eighth grade and the end-of-instruction tests. The Commission for Educational Quality and Accountability shall determine the cut scores for the performance levels on the end-of-instruction tests developed pursuant to paragraph 6 of subsection A of this section all statewide assessments. The Commission shall conduct an ongoing review to compare the end-of-instruction test statewide assessment content and performance descriptors with those
of other states. Upon receipt of the review, the Commission may adjust the cut scores as necessary.

4. The State Board of Education, for the purposes of conducting reliability and validity studies, monitoring contractor adherence to professionally accepted testing standards, and providing recommendations for testing program improvement, shall retain the services of an established, independent agency or organization that is nationally recognized for its technical expertise in educational testing but is not engaged in the development of aptitude or achievement tests for elementary or secondary level grades. These national assessment experts shall annually conduct studies of the end-of-instruction tests statewide assessments administered pursuant to this section. Validity studies shall include studies of decision validity and concurrent validity.

C-1. The State Board of Education shall set promulgate rules setting the testing assessment window dates for each criterion-referenced test required in paragraphs 1 through 5 of subsection A of this section for grades three through eight statewide assessment so that, with the exception of the writing assessments, the tests assessments are administered to students no earlier than April 10 each year according to recommended testing protocols, and so that the test assessment results are reported back to school districts in a timely manner. Each criterion-referenced test required in paragraph 6 of subsection A of this section may be administered to students at a time set by the State Board of Education as near as possible to the end of the course; provided, if a school district is unable to administer the tests online to all students taking the test for the first time and all students retaking the test during the testing window time set by the Board, the school district may elect to administer any of the tests to students retaking the test at any time not more than two (2) weeks prior to the start of the testing window time set by the Board. All results and reports of the criterion-referenced test series required in paragraphs 1 through 5 of subsection A of this section for grades three through eight shall be returned to each school district prior to the beginning of the next school year. The vendor shall provide a final electronic data file of all school site, school district, and state results to the State Department of Education and the Office of Educational Quality and Accountability prior to September August 1 of each year. The Department shall forward the final data files for each school district and each school site in that district to the school district. The Board shall ensure the contract with the testing vendor includes a provision that the vendor report test
assessment results directly to the Office of Educational Quality and Accountability at the same time it is reported to the Board.

2. State, district, and site level results of all tests assessments required in this section shall be disaggregated by gender, race, ethnicity, disability status, migrant status, English proficiency, and status as economically disadvantaged, except that such disaggregation shall not be required in a case in which the number of students in a category is insufficient to yield statistically reliable information or the results would reveal personally identifiable information about an individual student. Each school site shall notify the student's parents of the school's performance levels in the Oklahoma School Testing Program as reported in the Oklahoma Educational Indicators Program at the end of each school year.

D. K. The State Board of Education shall be responsible for the development, field-testing, and validation of the criterion-referenced test series statewide assessment system required in subsection A of this section. In the interest of economy the Board may participate in a multistate or multigovernmental cooperative pursuant to the requirements of The Oklahoma Central Purchasing Act, but shall not bind the state, contractually or otherwise, to the authority of any other state, organization or entity which may supersede the authority of the Board, for the purpose of adapting criterion-referenced tests, to the extent that such tests are appropriate for use in the testing program to be administered to Oklahoma students.

E. L. The State Board of Education shall develop, administer, and incorporate as a part of the Oklahoma School Testing Program, other testing assessment programs or procedures, including appropriate accommodations for the testing assessment of students with disabilities as required by the Individuals with Disabilities Education Act (IDEA), 20 USC U.S.C., Section 1400 et seq.

F. M. For purposes of developing and administering alternate assessments for students with the most significant cognitive disabilities, the State Board of Education shall not be subject to subsections D and E of Section 11-103.6a of this title.

SECTION 5. NEW LAW A new section of law not to be codified in the Oklahoma Statutes reads as follows:
A. The State Board of Education in consultation with the Oklahoma State Regents for Higher Education, the Commission for Educational Quality and Accountability, the State Board of Career and Technology Education and the Secretary of Education and Workforce Development shall study and develop assessment requirements which upon final approval shall be implemented in conjunction with the statewide system of student assessments adopted pursuant to Section 1210.508 of Title 70 of the Oklahoma Statutes. In developing the assessment requirements, the State Board of Education in consultation with the Oklahoma State Regents for Higher Education, the Commission for Educational Quality and Accountability, the State Board of Career and Technology Education and the Secretary of Education and Workforce Development shall include:

1. Establishment of a multimeasures approach to high school graduation. For purposes of this paragraph, "multimeasures" may include but are not limited to designated statewide assessments, alternative assessments, local performance assessments, nationally recognized assessments, assessment performance bands, grades and course records;

2. A determination of the performance level on the assessments at which students will be provided remediation or intervention and the type of remediation or intervention to be provided;

3. Establishment of a means for ensuring student accountability on the assessments which may include calculating assessment scores in the final grade or grade-point average of a student;

4. Ways to make the school testing program as set forth in the Oklahoma School Testing Program Act that is in operation as of the effective date of this act more efficient and effective while still achieving the objective of having assessments designed to indicate whether students have attained an understanding of the Oklahoma subject matter standards, including but not limited to, combining different subject area assessments into one assessment, combining different grade-level assessments into one assessment or adding additional subject area assessments; and

5. Establishment of a multimeasures approach to accountability, as required in Section 1210.545 of Title 70 of the Oklahoma Statutes and in accordance with the Elementary and Secondary Education Act of 1965, as reauthorized and amended by P.L. No. 114-95, also known as
the Every Student Succeeds Act (ESSA) and any federal regulations, and that include, but are not limited to, the following indicators:

a. statewide assessments including the establishment of student performance bands,

b. graduation rates for high schools,

c. statewide academic measures for elementary and middle schools,

d. English language proficiency for English learners, and
e. 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, advanced coursework and postsecondary readiness.

B. In developing the assessment requirements, the Board shall provide reasonable opportunity for public comment, including but not limited to comments from students, parents, educators, organizations representing students with disabilities and English language learners, higher education representatives, career technology education representatives, experts in the areas of assessments and accountability, community-based organizations, Indian tribal representatives and business community representatives.

C. 1. The Board shall make a report of the study of the assessment requirements by October 31, 2016.

2. By January 1, 2017, the Board shall adopt the assessment requirements as studied and developed pursuant to this section. The requirements shall be subject to legislative review as set forth in this section. The assessment requirements shall not be implemented by the Board until the legislative review process is completed as provided for in this section.

3. After adoption of the assessment requirements, the Board shall submit the adopted requirements to the Speaker of the House of Representatives or a designee and the President Pro Tempore of the Senate or a designee on or prior to the first day of the 1st Session of the 56th Oklahoma Legislature.
4. By adoption of a joint resolution, the Legislature shall approve the assessment requirements in whole and with or without instructions or disapprove the requirements in whole and with or without instructions, provided that such joint resolution becomes law in accordance with Section 11 of Article VI of the Oklahoma Constitution. If the joint resolution is vetoed by the Governor in accordance with Section 11 of Article VI of the Oklahoma Constitution and the veto has not been overridden, the requirements shall be deemed disapproved. If the Legislature fails to adopt a joint resolution within thirty (30) calendar days following submission of the assessment requirements, the requirements shall be deemed disapproved.

5. If the assessment requirements are disapproved in whole with or without instructions as provided for in this section, the Board may adopt new requirements or revise the requirements and submit the new or revised requirements prior to the last thirty (30) calendar days of the legislative session for legislative review pursuant to this section. If the assessment requirements are adopted in whole with instructions, the Board may revise the requirements in accordance with the legislative instructions and implement the requirements.

6. If the assessment requirements are disapproved in whole and the Board does not act to resubmit new requirements or revised requirements, the assessment or assessments adopted pursuant to Section 1210.508 of Title 70 of the Oklahoma Statutes shall be administered by the Board beginning with the 2017-2018 school year, and the performance level on the assessment or assessments shall be calculated in the final grade or grade point average of the student until otherwise provided for by law.

7. Upon final approval of the assessment requirements, the requirements shall be considered final agency rules. The Board shall submit a copy of the assessment requirements to the Secretary of State, who shall include the requirements in the publication known as the "Oklahoma Administrative Code" in the same manner as agency rules are published in the Code as provided for in the Administrative Procedures Act. All assessment requirements approved and published as provided for in this subsection shall have the same force and effect of law as agency rules promulgated pursuant to the Administrative Procedures Act.

8. Unless otherwise provided by specific vote of the Legislature, joint resolutions introduced for purposes of approving
or disapproving the assessment requirements shall not be subject to regular legislative cutoff dates, shall be limited to such provisions as may be necessary for approving or disapproving the requirements and any such other direction or mandate regarding the requirements deemed necessary by the Legislature. The joint resolution shall contain no other provisions.

SECTION 6. AMENDATORY 70 O.S. 2011, Section 1210.508B, as amended by Section 9, Chapter 430, O.S.L. 2014 (70 O.S. Supp. 2015, Section 1210.508B), is amended to read as follows:

Section 1210.508B  A. The Legislature finds that it is essential for children in the public schools to read early and well in elementary school. The Legislature further finds that clear and visible goals, assessments to determine the reading level at each elementary school, annual measurements of elementary school reading improvement, and accountability in each level of the educational system will result in a significant increase in the number of children reading at or above grade level.

B. The purpose of the Reading Sufficiency Act is to ensure that each child attains the necessary reading skills by completion of the third grade which will enable that student to continue development of reading skills and to succeed throughout school and life.

C. Each public school district in this state shall ensure that a majority of the instructional time each day of the school year in kindergarten through third grade is focused on reading and mathematics. The State Board of Education shall encourage school districts to integrate the teaching of the other curricular areas in the subject matter standards adopted by the Board with the instruction of reading and mathematics. All teachers of reading in the public schools in this state in kindergarten through third grade shall incorporate into instruction the five elements of reading instruction which are phonemic awareness, phonics, reading fluency, vocabulary, and comprehension.

D. The reading goal for Oklahoma public schools is as follows: By July 1, 2008, and each year thereafter, all third-grade students will read at or above grade level by the end of their third-grade year, excluding up to fifteen percent (15%) of those students who have an individualized education program (IEP), pursuant to the Individuals with Disabilities Education Act (IDEA), and excluding those students who are English language learners who have been determined not to be proficient in English as defined by a state-
designated English proficiency assessment. To achieve the reading goal, each public elementary school shall:

1. Determine its baseline no later than September 1, 2005, which shall be the percentage of students reading at or above third-grade level as determined by the percentage of students scoring proficient or above on the third-grade criterion-referenced test assessment in reading, administered pursuant to Section 1210.508 of this title; and

2. Set and achieve annual improvement goals necessary to progress from the baseline established in 2005 to the reading goal by July 1, 2008. The annual improvement goals shall be included in the district's reading sufficiency plan required in Section 1210.508C of this title.

E. The State Board of Education shall recognize schools and districts that attain or make progress toward achieving the reading goal and shall provide technical assistance to schools and districts that do not make progress toward the reading goal. The district reading sufficiency plan shall be submitted to the State Board if the district has any schools that are not achieving the required annual improvement goals pursuant to this section.

SECTION 7. AMENDATORY 70 O.S. 2011, Section 1210.508C, as last amended by Section 1, Chapter 364, O.S.L. 2015 (70 O.S. Supp. 2015, Section 1210.508C), is amended to read as follows:

Section 1210.508C  A. 1. Each student enrolled in kindergarten in a public school in this state shall be screened for reading skills including, but not limited to, phonemic awareness, letter recognition, and oral language skills as identified in the subject matter standards adopted by the State Board of Education. A screening instrument approved by the State Board shall be utilized for the purposes of this section.

2. For those kindergarten children at risk for reading difficulties, teachers shall emphasize reading skills as identified in the subject matter standards adopted by the State Board of Education, monitor progress throughout the year and measure year-end reading progress.

3. Classroom assistants, which may include parents, grandparents, or other volunteers, shall be provided in kindergarten
classes to assist with the screening of students if a teacher aide is not already employed to assist in a kindergarten classroom.

B. 1. Each student enrolled in kindergarten, first, second and third grade of the public schools of this state shall be assessed at the beginning and end of each school year using a screening instrument approved by the State Board of Education for the acquisition of reading skills including, but not limited to, phonemic awareness, phonics, reading fluency, vocabulary, and comprehension.

2. Any student who is assessed and found not to be reading at the appropriate grade level shall be provided a program of reading instruction designed to enable the student to acquire the appropriate grade level reading skills. Beginning with students entering the first grade in the 2011-2012 school year, the program of reading instruction shall include provisions of the READ Initiative adopted by the school district as provided for in subsection O of this section.

3. Throughout the year progress monitoring shall continue, and diagnostic assessment, if determined appropriate, shall be provided. Year-end reading skills shall be measured to determine reading success.

C. The State Board of Education shall approve screening instruments for use at the beginning and end of the school year, for monitoring of progress, and for measurement of reading skills at the end of the school year as required in subsections A and B of this section; provided, at least one of the screening instruments shall meet the following criteria:

1. Assess for phonemic awareness, phonics, reading fluency, and comprehension;

2. Document the validity and reliability of each assessment;

3. Can be used for diagnosis and progress monitoring;

4. Can be used to assess special education and limited-English-proficient students; and

5. Accompanied by a data management system that provides profiles for students, class, grade level and school building. The profiles shall identify each student's instructional point of need
and reading achievement level. The State Board shall also determine other comparable reading assessments for diagnostic purposes and for periodic and post assessments to be used for students at risk of reading failure. The State Board shall ensure that any assessments approved are in alignment with the subject matter standards adopted by the State Board of Education.

D. 1. The program of reading instruction required in subsection B of this section shall align with the subject matter standards adopted by the State Board of Education and shall include provisions of the READ Initiative adopted by the school district as provided for in subsection O of this section. A program of reading instruction may include, but is not limited to:

   a. sufficient additional in-school instructional time for the acquisition of phonemic awareness, phonics, reading fluency, vocabulary, and comprehension,

   b. if necessary, tutorial instruction after regular school hours, on Saturdays and during summer; however, such instruction may not be counted toward the one-hundred-eighty-day or one-thousand-eighty-hour school year required in Section 1-109 of this title, and

   c. assessments identified for diagnostic purposes and periodic monitoring to measure the acquisition of reading skills including, but not limited to, phonemic awareness, phonics, reading fluency, vocabulary, and comprehension, as identified in the student's program of reading instruction.

2. A student enrolled in first or second grades who has been assessed as provided for in subsection B of this section and found not to be reading at the corresponding grade level, shall be entitled to individualized remediation in reading until the student is determined by the results of a screening instrument to be reading on grade level. The program of reading instruction for each student shall be developed by a Student Reading Proficiency Team and shall include individualized remediation. Each team shall be composed of:

   a. the parent or guardian of the student,

   b. the teacher assigned to the student who had responsibility for reading instruction in that academic year,
c. a teacher who is responsible for reading instruction and is assigned to teach in the next grade level of the student, and

d. a certified reading specialist, if one is available.

E. The program of reading instruction shall continue until the student is determined by the results of approved reading assessments to be reading on grade level.

F. 1. Every school district shall adopt, and implement a district reading sufficiency plan which has had input from school administrators, teachers, and parents and if possible a reading specialist, and which shall be submitted electronically to and approved by the State Board of Education. The plan shall be updated annually. School districts shall not be required to electronically submit the annual updates to the Board if the last plan submitted to the Board was approved and expenditures for the program include only expenses relating to individual and small group tutoring, purchase of and training in the use of screening and assessment measures, summer school programs and Saturday school programs. If any expenditure for the program is deleted or changed or any other type of expenditure for the program is implemented, the school district shall be required to submit the latest annual update to the Board for approval. The district reading sufficiency plan shall include a plan for each site which includes an analysis of the data provided by the Oklahoma School Testing Program and other reading assessments utilized as required in this section, and which outlines how each school site will comply with the provisions of the Reading Sufficiency Act.

G. For any third-grade student found not to be reading at grade level as determined by reading assessments administered pursuant to this section, a new program of reading instruction, including provisions of the READ Initiative adopted by the school district as provided for in subsection O of this section, shall be developed and implemented as specified in this section. If possible, a fourth-grade teacher shall be involved in the development of the program of
reading instruction. In addition to other requirements of the Reading Sufficiency Act, the plan may include specialized tutoring.

H. 1. Any first-grade, second-grade or third-grade student who demonstrates proficiency in reading at the third-grade level through a screening instrument which meets the acquisition of reading skills criteria pursuant to subsection B of this section shall not be subject to the retention guidelines found in this section. Upon demonstrating the proficiency through the screening, the district shall provide notification to the parent(s) and/or guardian(s) of the student that they have satisfied the requirements of the Reading Sufficiency Act and will not be subject to retention pursuant to this section.

2. If a third-grade student is identified at any point of the academic year as having a significant reading deficiency, which shall be defined as scoring below proficient on a screening instrument which meets the acquisition of reading skills criteria pursuant to subsection B of this section, the district shall immediately begin a student reading portfolio as provided by subsection K of this section and shall provide notice to the parent of the deficiency pursuant to subsection I of this section.

3. If a student has not yet satisfied the proficiency requirements of this section prior to the completion of third grade and still has a significant reading deficiency, as identified based on assessments administered as provided for in subsection B of this section, has not accumulated evidence of third-grade proficiency through a student portfolio as provided in subsection K, or is not subject to a good cause exemption as provided in subsection K, then the student shall not be eligible for automatic promotion to fourth grade.

4. a. For the 2015-2016 school year, a student not eligible for automatic promotion as provided for under paragraph 3 of this subsection and who scores at the unsatisfactory level on the reading portion of the third-grade statewide criterion-referenced test may be evaluated for "probationary promotion" by the Student Reading Proficiency Team. For the 2016-2017 and 2017-2018 school years, a student not eligible for automatic promotion as provided for under paragraph 3 of this subsection and who scores at the unsatisfactory or limited knowledge levels on the reading portion of the third-grade statewide
criterion-referenced test may be evaluated for "probationary promotion" by the Student Reading Proficiency Team. The Student Reading Proficiency Team shall be composed of:

(1) the parent(s) and/or guardian(s) of the student,

(2) the teacher assigned to the student who had responsibility for reading instruction in that academic year,

(3) a teacher in reading who teaches in the subsequent grade level, and

(4) a certified reading specialist.

b. The student shall be promoted to the fourth grade if the team members unanimously recommend "probationary promotion" to the school principal and the school district superintendent and the principal and superintendent approve the recommendation that promotion is the best option for the student. If a student is allowed a "probationary promotion", the team shall continue to review the reading performance of the student and repeat the requirements of this paragraph each academic year until the student demonstrates grade-level reading proficiency, as identified through a screening instrument which meets the acquisition of reading skills criteria pursuant to subsection B of this section, for the corresponding grade level in which the student is enrolled or transitions to the requirements set forth by the Achieving Classroom Excellence Act.

5. Beginning with the 2016-2017 school year, students who score below the proficient level on the reading portion of the statewide third-grade criterion-referenced test assessment administered pursuant to Section 1210.508 of this title, who are not subject to a good cause exemption as provided in subsection K of this section, and who do not qualify for promotion or "probationary promotion" as provided in this subsection, shall be retained in the third grade and provided intensive instructional services and supports as provided for in subsection N of this section.
6. Each school district shall annually report to the State Department of Education the number of students promoted to the fourth grade pursuant to this subsection. Following the 2015-2016, 2016-2017 and 2017-2018 school years, each school district shall report the number of students promoted to a subsequent grade pursuant to the provisions in paragraph 4 of this subsection. The State Department of Education shall publicly report the aggregate and district specific number of students promoted on their website and shall provide electronic copies of the report to the Governor, Secretary of Education, President Pro Tempore of the Senate, Speaker of the House of Representatives, and to the respective chairs of the committees with responsibility for common education policy in each legislative chamber.

7. Nothing shall prevent a school district from applying the principles of paragraphs 3 and 4 of this subsection in grades kindergarten through second grade.

8. To determine the promotion and retention of third-grade students pursuant to the Reading Sufficiency Act, the State Board of Education shall use only the reading comprehension and vocabulary scores portion of the statewide third-grade criterion-referenced test assessment administered pursuant to Section 1210.508 of this title and shall not use the other language arts scores portions of the test assessment.

I. The parent of any student who is found to have a reading deficiency and is not reading at the appropriate grade level and has been provided a program of reading instruction as provided for in subsection B of this section shall be notified in writing of the following:

1. That the student has been identified as having a substantial deficiency in reading;

2. A description of the current services that are provided to the student pursuant to a conjoint measurement model such that a reader and a text are placed on the same scale;

3. A description of the proposed supplemental instructional services and supports that will be provided to the student that are designed to remediate the identified area of reading deficiency;

4. That the student will not be promoted to the fourth grade if the reading deficiency is not remediated by the end of the third
grade, unless the student is otherwise promoted as provided for in subsection H of this section or is exempt for good cause as set forth in subsection K of this section;

5. Strategies for parents to use in helping their child succeed in reading proficiency;

6. The grade-level performance scores of the student;

7. That while the results of the statewide criterion-referenced tests assessments administered pursuant to Section 1210.508 of this title are the initial determinant, they are not the sole determiner of promotion and that portfolio reviews and assessments are available; and

8. The specific criteria and policies of the school district for midyear promotion implemented as provided for in paragraph 4 of subsection N of this section.

J. No student may be assigned to a grade level based solely on age or other factors that constitute social promotion.

K. For those students who do not meet the academic requirements for promotion and who are not otherwise promoted as provided for in subsection H of this section, a school district may promote the student for good cause only. Good-cause exemptions for promotion shall be limited to the following:

1. Limited-English-proficient students who have had less than two (2) years of instruction in an English language learner program;

2. Students with disabilities whose individualized education program (IEP), consistent with state law, indicates that the student is to be assessed with alternate achievement standards through the Oklahoma Alternate Assessment Program (OAAP);

3. Students who demonstrate an acceptable level of performance on an alternative standardized reading assessment approved by the State Board of Education;

4. Students who demonstrate, through a student portfolio, that the student is reading on grade level as evidenced by demonstration of mastery of the state standards beyond the retention level;
5. Students with disabilities who participate in the statewide criterion-referenced tests assessments administered pursuant to Section 1210.508 of this title and who have an individualized education program that reflects that the student has received intensive remediation in reading for more than two (2) years but still demonstrates a deficiency in reading and was previously retained in prekindergarten for academic reasons, kindergarten, first grade, second grade, or third grade;

6. Students who have received intensive remediation in reading through a program of reading instruction for two (2) or more years but still demonstrate a deficiency in reading and who were previously retained in prekindergarten for academic reasons, kindergarten, first grade, second grade, or third grade for a total of two (2) years; and

7. Students who have been granted an exemption for medical emergencies by the State Department of Education.

L. A student who is otherwise promoted as provided for in subsection H of this section or is promoted for good cause as provided for in subsection K of this section shall be provided intensive reading instruction during an altered instructional day that includes specialized diagnostic information and specific reading strategies for each student. The school district shall assist schools and teachers to implement reading strategies for the promoted students that research has shown to be successful in improving reading among low-performing readers.

M. Requests to exempt students from the retention requirements based on one of the good-cause exemptions as described in subsection K of this section shall be made using the following process:

1. Documentation submitted from the teacher of the student to the school principal that indicates the student meets one of the good-cause exemptions and promotion of the student is appropriate. In order to minimize paperwork requirements, the documentation shall consist only of the alternative assessment results or student portfolio work and the individual education plan (IEP), as applicable;

2. The principal of the school shall review and discuss the documentation with the teacher and, if applicable, the other members of the team as described in subsection H of this section. If the principal determines that the student meets one of the good-cause
exemptions and should be promoted based on the documentation provided, the principal shall make a recommendation in writing to the school district superintendent; and

3. After review, the school district superintendent shall accept or reject the recommendation of the principal in writing.

N. Each school district shall:

1. Conduct a review of the program of reading instruction for all students who score below the proficient level on the reading portion of the statewide criterion-referenced test assessment administered pursuant to Section 1210.508 of this title and did not meet the criteria for one of the good-cause exemptions as set forth in subsection K of this section. The review shall address additional supports and services, as described in this subsection, needed to remediate the identified areas of reading deficiency. The school district shall require a student portfolio to be completed for each retained student;

2. Provide to students who have been retained as set forth in subsection H of this section with intensive interventions in reading, intensive instructional services and supports to remediate the identified areas of reading deficiency, including a minimum of ninety (90) minutes of daily, uninterrupted, scientific-research-based reading instruction. Retained students shall be provided other strategies prescribed by the school district, which may include, but are not limited to:

   a. small group instruction,
   b. reduced teacher-student ratios,
   c. more frequent progress monitoring,
   d. tutoring or mentoring,
   e. transition classes containing third- and fourth-grade students,
   f. extended school day, week, or year, and
   g. summer reading academies as provided for in Section 1210.508E of this title, if available;
3. Provide written notification to the parent or guardian of any student who is to be retained as set forth in subsection H of this section that the student has not met the proficiency level required for promotion and was not otherwise promoted and the reasons the student is not eligible for a good-cause exemption. The notification shall include a description of proposed interventions and intensive instructional supports that will be provided to the student to remediate the identified areas of reading deficiency;

4. Implement a policy for the midyear promotion of a retained student who can demonstrate that the student is a successful and independent reader, is reading at or above grade level, and is ready to be promoted to the fourth grade. Tools that school districts may use in reevaluating any retained student may include subsequent assessments, alternative assessments, and portfolio reviews, in accordance with rules of the State Board of Education. Retained students may only be promoted midyear prior to November 1 and only upon demonstrating a level of proficiency required to score at the proficient level on the statewide third-grade criterion-referenced test assessment administered pursuant to Section 1210.508 of this title, or upon demonstrating proficiency in reading at the third-grade level through a screening instrument administered pursuant to subsection B of this section, and upon showing progress sufficient to master appropriate fourth-grade-level skills, as determined by the school. A midyear promotion shall be made only upon agreement of the parent or guardian of the student and the school principal;

5. Provide students who are retained with a high-performing teacher who can address the needs of the student, based on student performance data and above-satisfactory performance appraisals; and

6. In addition to required reading enhancement and acceleration strategies, provide students who are retained with at least one of the following instructional options:

   a. supplemental tutoring in scientific-research-based reading services in addition to the regular reading block, including tutoring before or after school,

   b. a parent-guided "Read at Home" assistance plan, as developed by the State Department of Education, the purpose of which is to encourage regular parent-guided home reading, or

   c. a mentor or tutor with specialized reading training.
O. Beginning with the 2011-2012 school year, each school district shall establish a Reading Enhancement and Acceleration Development (READ) Initiative. The focus of the READ Initiative shall be to prevent the retention of third-grade students by offering intensive accelerated reading instruction to third-grade students who failed to meet standards for promotion to fourth grade and to kindergarten through third-grade students who are exhibiting a reading deficiency. The READ Initiative shall:

1. Be provided to all kindergarten through third-grade students at risk of retention as identified by the assessments administered pursuant to the Reading Sufficiency Act. The assessment used shall measure phonemic awareness, phonics, fluency, vocabulary, and comprehension;

2. Be provided during regular school hours in addition to the regular reading instruction; and

3. Provide a state-approved reading curriculum that, at a minimum, meets the following specifications:

   a. assists students assessed as exhibiting a reading deficiency in developing the ability to read at grade level,

   b. provides skill development in phonemic awareness, phonics, fluency, vocabulary, and comprehension,

   c. provides a scientific-research-based and reliable assessment,

   d. provides initial and ongoing analysis of the reading progress of each student,

   e. is implemented during regular school hours,

   f. provides a curriculum in core academic subjects to assist the student in maintaining or meeting proficiency levels for the appropriate grade in all academic subjects,

   g. establishes at each school, where applicable, an Intensive Acceleration Class for retained third-grade students who subsequently score below the proficient
level on the reading portion of the statewide criterion-referenced tests assessment administered pursuant to Section 1210.508 of this title. The focus of the Intensive Acceleration Class shall be to increase the reading level of a child at least two grade levels in one (1) school year. The Intensive Acceleration Class shall:

(1) be provided to any student in the third grade who scores below the proficient level on the reading portion of the statewide criterion-referenced tests assessments and who was retained in the third grade the prior year because of scoring below the proficient level on the reading portion of the statewide criterion-referenced tests assessments,

(2) have a reduced teacher-student ratio,

(3) provide uninterrupted reading instruction for the majority of student contact time each day and incorporate opportunities to master the fourth-grade state standards in other core subject areas,

(4) use a reading program that is scientific-research-based and has proven results in accelerating student reading achievement within the same school year,

(5) provide intensive language and vocabulary instruction using a scientific-research-based program, including use of a speech-language therapist,

(6) include weekly progress monitoring measures to ensure progress is being made, and

(7) provide reports to the State Department of Education, in the manner described by the Department, outlining the progress of students in the class at the end of the first semester,

h. provide reports to the State Board of Education, upon request, on the specific intensive reading
interventions and supports implemented by the school district. The State Superintendent of Public Instruction shall annually prescribe the required components of the reports, and

i. provide to a student who has been retained in the third grade and has received intensive instructional services but is still not ready for grade promotion, as determined by the school district, the option of being placed in a transitional instructional setting. A transitional setting shall specifically be designed to produce learning gains sufficient to meet fourth-grade performance standards while continuing to remediate the areas of reading deficiency.

P. In addition to the requirements set forth in this section, each school district board of education shall annually report to the parent or guardian of each student in the district the progress of the student toward achieving state and district expectations for proficiency in reading, writing, science, and mathematics. The school district board of education shall report to the parent or guardian of each student the results on statewide criterion-referenced tests assessments administered pursuant to Section 1210.508 of this title. The evaluation of the progress of each student shall be based upon classroom work, observations, tests, district and state assessments, and other relevant information. Progress reporting shall be provided to the parent or guardian in writing.

Q. 1. Each school district board of education shall annually publish on the school website, and report in writing to the State Board of Education by September 1 of each year, the following information on the prior school year:

a. the provisions of this section relating to public school student progression and the policies and procedures of the school district on student retention and promotion,

b. by grade, the number and percentage of all students in grades three through ten performing below the proficient level on the reading portion of the statewide criterion-referenced tests assessment administered pursuant to Section 1210.508 of this title,
c. by grade, the number and percentage of all students retained in grades three through ten,

d. information on the total number and percentage of students who were promoted for good cause, by each category of good cause as specified above, and

e. any revisions to the policies of the school district on student retention and promotion from the prior year.

2. The State Department of Education shall establish a uniform format for school districts to report the information required in this subsection. The format shall be developed with input from school districts and shall be provided not later than ninety (90) days prior to the annual due date. The Department shall annually compile the information required, along with state-level summary information, and report the information to the public, the Governor, the President Pro Tempore of the Senate, and the Speaker of the House of Representatives.

R. The State Department of Education shall provide technical assistance as needed to aid school districts in administering the provision of the Reading Sufficiency Act.

S. On or before December 1 of each year, the State Department of Education shall issue to the Governor and members of the Senate and House of Representatives Education Committees a Reading Report Card for the state and each school district and elementary site which shall include, but is not limited to, trend data detailing three (3) years of data, disaggregated by student subgroups to include economically disadvantaged, major racial or ethnic groups, students with disabilities, and English language learners, as appropriate for the following:

1. The number and percentage of students in kindergarten through third grade determined to be at risk for reading difficulties compared to the total number of students enrolled in each grade;

2. The number and percentage of students in kindergarten who continue to be at risk for reading difficulties as determined by the year-end measurement of reading progress;
3. The number and percentage of students in kindergarten through third grade who have successfully completed their program of reading instruction and are reading on grade level as determined by the results of approved reading assessments;

4. The number and percentage of students scoring at each performance level on the reading portion of the statewide third-grade criterion-referenced test assessment administered pursuant to Section 1210.508 of this title;

5. The amount of funds for reading remediation received by each district;

6. An evaluation and narrative interpretation of the report data analyzing the impact of the Reading Sufficiency Act on students' ability to read at grade level; and

7. Any recommendations for improvements or amendments to the Reading Sufficiency Act.

The State Department of Education may contract with an independent entity for the reporting and analysis requirements of this subsection.

T. Copies of the results of the assessments administered shall be made a part of the permanent record of each student.

SECTION 8. AMENDATORY 70 O.S. 2011, Section 1210.515, as amended by Section 1, Chapter 337, O.S.L. 2013 (70 O.S. Supp. 2015, Section 1210.515), is amended to read as follows:

Section 1210.515  A. Pursuant to the provisions of paragraph 2 of subsection A of Section 6-107.3 of Title 47 of the Oklahoma Statutes, any person under the age of eighteen (18) years wishing to apply for a driver license or permit shall successfully demonstrate a satisfactory reading ability at the eighth-grade reading level by meeting the following criteria:

1. A student enrolled in a public school shall successfully complete the reading portion of the state criterion-referenced test statewide assessment administered pursuant to Section 1210.508 of this title and that is offered in the eighth grade. Following the administration of this test assessment in the eighth grade, any student not successfully completing the reading portion shall be assigned a plan of remedial reading. Any student not successful in
completing the reading portion of the state criterion-referenced test assessment may take a comparable alternative reading proficiency test in order to satisfy the criteria for a driver license or permit. Alternative reading proficiency tests shall be approved by the State Department of Education. Subsequent successful completion of an alternative reading proficiency test shall serve to satisfy any test retaking retake requirement which may be required for the reading portion of the state criterion-referenced test assessment in the eighth grade in the Oklahoma School Testing Program. School districts shall notify, in writing, each student who takes the reading portion of the state criterion-referenced test assessment for the eighth grade or who takes an alternative reading proficiency test and the student's parent or legal guardian of the test results. If the student fails to perform satisfactorily on the test, the notice shall inform the student of the reading proficiency driver license requirement and the school's remediation plan for the student. Upon the student's successful completion of the test, the school shall furnish the student with the documentation needed for the driver license application in Oklahoma;

2. Unless alternatively documented according to the provisions of subsection C of this section, students under the age of eighteen (18) years shall successfully complete a reading proficiency test approved by the State Department of Education; and

3. Any student who wishes to apply for a restricted license to operate a motorcycle may take an alternative reading proficiency test, subject to the provisions of this section.

B. Alternative reading proficiency tests shall be offered by testing sites, which shall include the public schools at least four times per calendar year, and may include any of the following which chose to participate, the technology center school districts, Regional Education Service Centers, colleges, accredited private schools, and other sites approved by the State Department of Education. A student may take the test as often as wished, subject to the provisions of this section. Testing sites shall provide the first alternative reading proficiency test for each student at no cost to the student. Students may be assessed a fee not to exceed Twenty-five Dollars ($25.00) by the testing site for each subsequent alternative reading proficiency test taken.

C. A school district shall provide for alternative documentation of reading proficiency for the purposes of paragraph 2
of subsection A of Section 6-107.3 of Title 47 of the Oklahoma Statutes for any student with an individualized education program that, at a minimum, is in an area related to reading. The alternative documentation shall be furnished to such student who is performing satisfactorily in reading pursuant to the individualized education program of the student. Parents of disabled students educated pursuant to the provisions of Section 4 of Article XIII of the Oklahoma Constitution may satisfy the requirement of paragraph 2 of subsection A of Section 6-107.3 of Title 47 of the Oklahoma Statutes by signing an affidavit that, based upon their best information and belief, their child would qualify for an individualized education program that, at a minimum, is in an area related to reading if enrolled in public school, and that in their judgment their child is performing satisfactorily in reading and is therefore academically qualified to satisfy the requirement of paragraph 2 of subsection A of Section 6-107.3 of Title 47 of the Oklahoma Statutes.

D. Any person under the age of eighteen (18) who has previously completed and successfully passed a reading proficiency test from another state may submit the results of such test to the State Department of Education for verification and approval. The State Department of Education shall have thirty (30) days from receipt of the reading proficiency results submitted by the person to verify that the reading proficiency requirements from the other state are equivalent or comparable to the reading proficiency requirements established for Oklahoma students pursuant to this section. Upon verification and approval by the State Department of Education, the Department shall furnish the person with the documentation needed for the driver license application in Oklahoma. If the reading proficiency documentation submitted by the person is disapproved by the Department, the person may take an alternative reading proficiency test as provided for in subsection B of this section.

SECTION 9. AMENDATORY 70 O.S. 2011, Section 1210.541, as last amended by Section 1, Chapter 163, O.S.L. 2014 (70 O.S. Supp. 2015, Section 1210.541), is amended to read as follows:

Section 1210.541 A. The Commission for Educational Quality and Accountability shall determine and adopt a series of student performance levels and the corresponding cut scores pursuant to the Oklahoma School Testing Program Act.

B. The Commission for Educational Quality and Accountability shall have the authority to set cut scores using any method which
the State Board of Education was authorized to use in setting cut scores prior to July 1, 2013.

C. The performance levels shall be set by a method that indicates students are ready for the next grade, course, or level of education, as applicable. The Commission for Educational Quality and Accountability shall establish panels to review and revise the performance level descriptors for each subject and grade level. The Commission shall ensure that the criterion-referenced tests developed and administered by the State Board of Education pursuant to the Oklahoma School Testing Program Act in grades three through eight and the end-of-instruction tests administered at the secondary level are vertically aligned by content across grade levels to ensure consistency, continuity, alignment and clarity. The Commission shall adopt performance levels that are labeled and defined as follows:

1. Advanced, which shall indicate that students demonstrate superior performance on challenging subject matter;

2. Proficient, which shall indicate that students demonstrate mastery over appropriate grade-level subject matter and that students are ready for the next grade, course, or level of education, as applicable;

3. Limited knowledge, which shall indicate that students demonstrate partial mastery of the essential knowledge and skills appropriate to their grade level or course; and

4. Unsatisfactory, which shall indicate that students have not performed at least at the limited knowledge level.

D. The State Board of Education shall develop and implement in accordance with the Elementary and Secondary Education Act of 2001 (ESEA), as reauthorized and amended by P.L. No. 107-110 and 114-95, also known as the No Child Left Behind Act of 2001 Every Student Succeeds Act (ESSA), an accountability system as provided for in 20 U.S.C., 6311 and any related federal regulations. The accountability system shall be implemented beginning with the 2002-2003 school year and shall be based on the data as established pursuant to Section 1210.545 of this title and as modified to meet the mandates of the ESEA. For the 2002-2003 school year and every year thereafter the State Board of Education shall publish and ensure that each local education agency is provided with data annually by site so that the local education agency can make
determinations to identify schools for rewards and sanctions. The State Board of Education shall establish a system of recognition, rewards, sanctions and technical assistance, as required by state law and the Elementary and Secondary Education Act of 1965 (ESEA) as reauthorized and amended by P.L. No. 114-95, also known as the Every Student Succeeds Act (ESSA).

E. A school that is identified as in need of improvement by the State Board of Education pursuant to this section, because of failure to meet either an academic performance target or an attendance or graduation performance target, or both, and is identified as in need of improvement pursuant to the Elementary and Secondary Education Act of 1965 (ESEA), as reauthorized and amended by P.L. No. 114-95, also known as the Every Student Succeeds Act (ESSA), shall utilize the assistance of a school support team or other similar team formed by the State Department of Education to provide support for schools in need of improvement, subject to school support team capacity. The school support team shall review and analyze all facets of operation of the school including the design and operation of the instructional program. The school support team shall assist the school in:

1. Incorporating strategies based on scientifically based research that will strengthen the core academic subjects in the school and address the specific academic issues that caused the school to be identified for school improvement;

2. Incorporating strategies to promote high quality professional development; and

3. Training teachers to analyze classroom and school-level data and use the data to inform instruction.

SECTION 10. AMENDATORY 70 O.S. 2011, Section 1210.545, as last amended by Section 1, Chapter 362, O.S.L. 2015 (70 O.S. Supp. 2015, Section 1210.545), is amended to read as follows:

Section 1210.545  A. 1. Except as otherwise provided, as part of the accountability system developed as provided for in Section 1210.541 of this title, the State Board of Education shall prepare annual reports of the results of the Oklahoma School Testing Program which describe student achievement in the state and each school site.
2. The Board shall study and may recommend revisions to the Legislature to the calculation metrics of all components of the school report cards to ensure that the evaluation system is clear, transparent, statistically trustworthy, credible, and aligned with the state assessment system. The Board shall seek certification from the Oklahoma State Regents for Higher Education that recommended revisions, if adopted, will improve the clarity, transparency, statistical trustworthiness, credibility, and alignment of the evaluation system. The State Regents shall provide the Board a detailed description of the certification process and results, including a list of any deficiencies the State Regents find with the study or the resulting recommendations. The Board shall issue a report by December 31, 2015, and submit a copy of the report to the Governor, the Speaker of the House of Representatives, the President Pro Tempore of the Senate, the Minority Leader of the House of Representatives, and the Minority Leader of the Senate. The Board shall prescribe the design and content of the reports, which shall include, without limitation, descriptions of the performance of all schools participating in the Oklahoma School Testing Program and all of the major student populations as determined by the Board, and shall also include the median scores of all eligible students who scored at or in the lowest twenty-fifth percentile of the state in the previous school year. The confidentiality of individual student records shall be preserved as required by law.

B. The annual report as required pursuant to subsection A of this section shall identify school sites as having one of the following grades, defined according to rules of the State Board of Education:

1. "A" means schools making excellent progress;

2. "B" means schools making above average progress;

3. "C" means schools making satisfactory progress;

4. "D" means schools making less than satisfactory progress;

and

5. "F" means schools failing to make adequate progress.

C. Each school that has students who are tested and included in the school grading system as provided for in this section shall receive a school grade, except as follows:
1. A school shall not receive a school grade if the number of students tested and included in the school grading system is less than the minimum sample size necessary for statistical reliability and prevention of the unlawful release of personally identifiable student data. The State Board of Education is directed to establish the lowest minimum sample size necessary to meet the requirements of this paragraph;

2. A school that serves any combination of students in kindergarten through grade three which does not receive a school grade because the students are not tested and included in the school grading system shall receive the school grade designation of a feeder pattern school identified by the State Department of Education and verified by the school district. A school feeder pattern exists if at least sixty percent (60%) of the students in the school serving a combination of students in kindergarten through grade three are scheduled to be assigned to the graded school; and

3. The academic performance of students who are enrolled full-time in an online program that is offered by a school district or charter school that is not the district of residence or is not located in the district of residence of the student shall be reported separately by the school district or charter school and shall not be included when determining the grade of the school site or charter school.

D. The grade of a school shall be based on a combination of:

1. Fifty percent (50%) on whole school performance, as measured by allocating one point for each student who scores proficient or advanced on the criterion-referenced tests and end-of-instruction tests assessments administered under Section 1210.508 of this title and alternative test scores administered to students pursuant to Section 1210.523 of this title divided by the number of students taking the tests assessments;

2. Twenty-five percent (25%) on whole school growth, as measured by allocating one point for each student who improves proficiency levels or improves substantially within a proficiency level on criterion-referenced tests and end-of-instruction tests assessments administered under Section 1210.508 of this title divided by the number of students taking the tests assessments; and
3. Twenty-five percent (25%) on growth in the bottom quartile of students, as measured by allocating one point for each student in the bottom quartile who improves proficiency levels or improves substantially within a proficiency level on criterion-referenced tests and end of instruction tests assessments administered under Section 1210.508 of this title divided by the number of students taking the tests assessments.

E. In addition to the components outlined in subsection D of this section, the following bonus points shall be considered in determining the grade of a school site:

1. For schools comprised of high school grades:

   a. five points for meeting the criteria for an "A" for the high school graduation rate of the school, as defined by rules adopted by the Board,

   b. one point for meeting the criteria for an "A" for performance or participation of students in College Board Advanced Placement courses, International Baccalaureate courses, concurrent enrollment courses, Advanced International Certificate of Education courses, or the achievement of students on national industry certification, as defined by rules adopted by the Board,

   c. one point for meeting the criteria for an "A" for participation or performance in SAT tests administered by the College Board or the American College Test (ACT), as defined by rules adopted by the Board,

   d. one point for meeting the criteria for an "A" for the high school graduation rate of students who scored at limited knowledge or unsatisfactory on the eighth-grade criterion-referenced tests assessments in reading and mathematics administered pursuant to Section 1210.508 of this title,

   e. as valid data becomes available, one point for the performance of students on the end of instruction tests high school assessments administered under Section 1210.508 of this title, as defined by rules adopted by the Board, and
f. one point for the growth or decline in the components listed in subparagraphs a through e of this paragraph from year to year, as defined by rules adopted by the Board;

2. For schools comprised of middle school grades:
   a. two points for meeting the criteria for an "A" for the drop-out rate of the school, as defined by rules adopted by the Board,
   b. two points for meeting the criteria for an "A" for the percentage of students who are taking higher level coursework at a satisfactory or higher level, as defined by rules adopted by the Board, and
   c. six points for meeting the criteria for an "A" for attendance, as defined by rules adopted by the Board;

3. For schools comprised of elementary school grades, ten points for meeting the criteria for an "A" for attendance, as defined by rules adopted by the Board.

F. Student test data used in determining school grades shall include:

1. The aggregate scores of all eligible students enrolled in the school who have been administered the criterion-referenced tests and end-of-instruction tests assessments administered under Section 1210.508 of this title; and

2. For schools comprised of high school grades, the data listed in paragraph 1 of this subsection, and the following data as the State Department of Education determines the data are valid and available:
   a. the high school graduation rate of the school as calculated by the Department,
   b. the participation rate of all eligible students enrolled in the school in College Board Advanced Placement courses whether taught at a high school, a technology center school, or a regional site of the Oklahoma School of Science and Mathematics,
International Baccalaureate courses, concurrent enrollment courses, Advanced International Certificate of Education courses, courses or sequence of courses leading to national industry certification identified pursuant to rules adopted by the Board, courses or sequence of courses granted cooperative college alliance credit taken at a technology center school, and science, technology, engineering and mathematics courses taken at a regional site of the Oklahoma School of Science and Mathematics,

c. the aggregate scores of all eligible students enrolled in the school in College Board Advanced Placement courses whether taught at a high school, a technology center school, or a regional site of the Oklahoma School of Science and Mathematics, International Baccalaureate courses, and Advanced International Certificate of Education courses,

d. earning of college credit by all eligible students enrolled in the school in concurrent enrollment programs as provided for in Section 628.13 of this title and in cooperative college alliance courses taken at a technology center school,

e. earning of a national industry certification identified pursuant to rules adopted by the Board,

f. the aggregate scores of all eligible students enrolled in the school in reading, mathematics, and other subjects as measured by the SAT test administered by the College Board and the ACT,

_g._ the high school graduation rate of all eligible students enrolled in the school who scored at limited knowledge or unsatisfactory on the eighth-grade criterion-referenced tests assessments in reading and mathematics administered under Section 1210.508 of this title,

_h._ the performance of students on statewide end-of-instruction tests high school assessments administered under Section 1210.508 of this title, and
i. the growth or decline in the data components listed in subparagraphs a through h of this paragraph from year to year.

G. Grades shall be calculated by combining the points earned for whole school performance, whole school growth and growth in the bottom quartile of students, measured pursuant to subsection D of this section, and any bonus points earned pursuant to subsection E of this section. Grades shall be assigned based on the following scale:

1. Ninety-seven percent (97%) to one hundred percent (100%) = A+;
2. Ninety-three percent (93%) to ninety-six percent (96%) = A;
3. Ninety percent (90%) to ninety-two percent (92%) = A-;
4. Eighty-seven percent (87%) to eighty-nine percent (89%) = B+;
5. Eighty-three percent (83%) to eighty-six percent (86%) = B;
6. Eighty percent (80%) to eighty-two percent (82%) = B-;
7. Seventy-seven percent (77%) to seventy-nine percent (79%) = C+;
8. Seventy-three percent (73%) to seventy-six percent (76%) = C;
9. Seventy percent (70%) to seventy-two percent (72%) = C-;
10. Sixty-seven percent (67%) to sixty-nine percent (69%) = D+;
11. Sixty-three percent (63%) to sixty-six percent (66%) = D;
12. Sixty percent (60%) to sixty-two percent (62%) = D-; and
13. Fifty-nine percent (59%) and below = F.

H. The annual report shall identify the performance of each school as having improved, remained the same, or declined. This school improvement rating shall be based on a comparison of the student and school performance data of the current year to the
previous year data. Schools that improve at least one grade level are eligible for school recognition as established by the Board through the accountability system developed pursuant to Section 1210.541 of this title.

I. The State Department of Education shall annually develop, in collaboration with school districts and the Office of Educational Quality and Accountability, a school site report card to be delivered to parents throughout each school district. The report card shall include the grade for the school, information regarding school improvement, an explanation of school performance as evaluated in accordance with the Elementary and Secondary Education Act of 2001 (ESEA), as reauthorized and amended by P.L. No. 107-110, also known as the No Child Left Behind Act of 2001, and indicators of return on investment. The report card for each school site shall be published annually by the Department on its website, and every school district shall provide the school site report card to the parent or guardian of each student enrolled in the school site. In order to provide information regarding school performance for school site report cards issued during the 2016-2017 and 2017-2018 school year, the Department shall include an explanation of the changes to the statewide system of student assessments as required in Section 1210.508 of this title and how the transition in assessments may impact school performance. The Department shall issue school site report cards using the 2016-2017 school year assessment data that is available.

J. The Legislature may factor in the performance of schools in calculating any performance-based funding policy that is provided to public school districts.

K. The State Board of Education shall promulgate rules to implement the provisions of this section.

SECTION 11. REPEALER 70 O.S. 2011, Sections 1210.506 and 1210.508-1, are hereby repealed.

SECTION 12. REPEALER 70 O.S. 2011, Sections 1210.521, 1210.522, 1210.523, as last amended by Section 26, Chapter 4, O.S.L. 2014, 1210.525 and 1210.526, as last amended by Section 2 of Enrolled Senate Bill No. 1105 of the 2nd Session of the 55th Oklahoma Legislature (70 O.S. Supp. 2015, Section 1210.523), are hereby repealed.
SECTION 13. This act shall become effective July 1, 2016.

SECTION 14. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.
Passed the House of Representatives the 23rd day of May, 2016.

Presiding Officer of the House of Representatives

Passed the Senate the 25th day of May, 2016.

Presiding Officer of the Senate

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this ________________
day of ________________, 20_____, at _____ o’clock _____ M.

By: _________________________________

Approved by the Governor of the State of Oklahoma this _______
day of ________________, 20_____, at _____ o’clock _____ M.

_________________________________
Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this _______
day of ________________, 20_____, at _____ o’clock _____ M.

By: _________________________________
Resolution

ENROLLED HOUSE
CONCURRENT
RESOLUTION NO. 1021

By: Bennett, Coody (Ann),
    Fisher, Kern, Roberts
    (Sean), Faught, Strohm,
    Vaughan, Brumbaugh,
    Wesselhoft, Moore, Johnson,
    Wood, Dunlap, Nollan,
    Calvey, Ritze, Russ, Rogers
    and O'Donnell of the House

    and

    Stanislawski, Brecheen,
    Dahm, Treat, Sykes, Mazzei,
    Newberry, Silk and David of
    the Senate

A Concurrent Resolution supporting the Attorney
General to take certain actions regarding the
application of Title IX to transgender students and
gender identity and federal government overreach;
calling on the Superintendent of Public Instruction
and the State Board of Education to instruct school
districts to disregard certain guidance and adopt
certain policies; recognizing and supporting certain
authority of boards of education of school districts;
and directing distribution.

WHEREAS, each school district has a responsibility to provide a
safe and respectful learning environment for all students; and

WHEREAS, decisions and policies regarding the safe and
respectful learning environment for students, including decisions
and policies on nondiscrimination of transgender students and other
policies related to transgender students, have historically been a
matter of local control and set by boards of education of school districts; and

WHEREAS, on May 13, 2016, the Civil Rights Division of the United States Department of Justice and the Office for Civil Rights of the United States Department of Education issued a Dear Colleague Letter on Transgender Students to school districts which interprets Title IX as requiring schools that have traditional sex-segregated bathrooms and locker rooms to allow access for transgender students to facilities consistent with their gender identity; and

WHEREAS, the Dear Colleague Letter on Transgender Students also addresses issues including a school's responsibility to provide a safe and nondiscriminatory environment for transgender students, participation in school activities based upon gender identity, identification of transgender students in documents, the use of names and pronouns when referring to transgender students, privacy related to the transgender status of a student and disclosure and amendment of education records; and

WHEREAS, the failure of a school district to follow the guidance of the Dear Colleague Letter on Transgender Students threatens the loss of the district's federal education funding; and

WHEREAS, the Dear Colleague Letter on Transgender Students is a blatant example of federal government and executive power overreach, a misrepresentation of the requirements of Title IX and an infringement upon states' rights and the rights of parents and students.

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE 2ND SESSION OF THE 55TH OKLAHOMA LEGISLATURE, THE SENATE CONCURRING THEREIN:

THAT the Oklahoma Legislature supports the Attorney General of the State of Oklahoma in taking whatever action is necessary to protect Oklahoma students, parents and school districts from effects of the Dear Colleague Letter on Transgender Students dated May 13, 2016, issued by the Civil Rights Division of the United States Department of Justice and the Office for Civil Rights of the United States Department of Education, and from the overreach of the federal government on the issue of the application of Title IX to transgender students and gender identity.
THAT the Oklahoma Legislature calls for the Superintendent of Public Instruction for the State of Oklahoma and the State Board of Education for the State of Oklahoma to instruct boards of education of Oklahoma school districts that they may disregard the Dear Colleague Letter on Transgender Students and instead adopt or continue enforcing their own policies to provide a safe and respectful learning environment for all students.

THAT the Oklahoma Legislature recognizes and supports the authority of boards of education of Oklahoma school districts to make decisions and policies to provide a safe and respectful learning environment for all students.

THAT copies of this resolution be distributed to the Attorney General of the State of Oklahoma, the State Board of Education for the State of Oklahoma and the State Superintendent of Public Instruction for the State of Oklahoma.

Adopted by the House of Representatives the 26th day of May, 2016.

[Signature]
Presiding Officer of the House of Representatives

Adopted by the Senate the 27th day of May, 2016.

[Signature]
Presiding Officer of the Senate

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this 27th day of May, 2016, at 3:25 o'clock P.M.

By: [Signature]
An Act

ENROLLED SENATE
BILL NO. 911

By: Sharp and Pittman of the Senate
and
Wood and Sherrer of the House

An Act relating to schools; amending 70 O.S. 2011, Section 24-100.4, as last amended by Section 2, Chapter 345, O.S.L. 2014 (70 O.S. Supp. 2015, Section 24-100.4), which relates to discipline of children; and allowing district boards of education to adopt procedures requiring students to perform campus-site service for violating district policy.

SUBJECT: Discipline in schools

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 70 O.S. 2011, Section 24-100.4, as last amended by Section 2, Chapter 345, O.S.L. 2014 (70 O.S. Supp. 2015, Section 24-100.4), is amended to read as follows:

Section 24-100.4. A. Each district board of education shall adopt a policy for the discipline of all children attending public school in that district, and for the investigation of reported incidents of bullying. The policy shall provide options for the discipline of the students and shall define standards of conduct to which students are expected to conform. The policy shall:

1. Specifically address bullying by students at school and by electronic communication, if the communication is specifically
directed at students or school personnel and concerns bullying at school;

2. Contain a procedure for reporting an act of bullying to a school official or law enforcement agency, including a provision that permits a person to report an act anonymously. No formal disciplinary action shall be taken solely on the basis of an anonymous report;

3. Contain a requirement that any school employee that has reliable information that would lead a reasonable person to suspect that a person is a target of bullying shall immediately report it to the principal or a designee of the principal;

4. Contain a statement of how the policy is to be publicized including a requirement that:

   a. an annual written notice of the policy be provided to parents, guardians, staff, volunteers and students, with age-appropriate language for students,

   b. notice of the policy be posted at various locations within each school site, including but not limited to cafeterias, school bulletin boards, and administration offices,

   c. the policy be posted on the Internet website for the school district and each school site that has an Internet website, and

   d. the policy be included in all student and employee handbooks;

5. Require that appropriate school district personnel involved in investigating reports of bullying make a determination regarding whether the conduct is actually occurring;

6. Contain a procedure for providing timely notification to the parents or guardians of a victim of documented and verified bullying and to the parents or guardians of the perpetrator of the documented and verified bullying;
7. Identify by job title the school official responsible for enforcing the policy;

8. Contain procedures for reporting to law enforcement all documented and verified acts of bullying which may constitute criminal activity or reasonably have the potential to endanger school safety;

9. Require annual training for administrators and school employees as developed and provided by the State Department of Education in preventing, identifying, responding to and reporting incidents of bullying;

10. Provide for an educational program as designed and developed by the State Department of Education and in consultation with the Office of Juvenile Affairs for students and parents in preventing, identifying, responding to and reporting incidents of bullying;

11. Establish a procedure for referral of a person who commits an act of bullying to a delinquency prevention and diversion program administered by the Office of Juvenile Affairs;

12. Address prevention by providing:

   a. consequences and remedial action for a person who commits an act of bullying,

   b. consequences and remedial action for a student found to have falsely accused another as a means of retaliation, reprisal or as a means of bullying, and

   c. a strategy for providing counseling or referral to appropriate services, including guidance, academic intervention, and other protection for students, both targets and perpetrators, and family members affected by bullying, as necessary;

13. Establish a procedure for:
a. the investigation, determination and documentation of all incidents of bullying reported to school officials,

b. identifying the principal or a designee of the principal as the person responsible for investigating incidents of bullying,

c. reporting the number of incidents of bullying, and

d. determining the severity of the incidents and their potential to result in future violence;

14. Establish a procedure whereby, upon completing an investigation of bullying, a school may recommend that available community mental health care, substance abuse or other counseling options be provided to the student, if appropriate; and

15. Establish a procedure whereby a school may request the disclosure of any information concerning students who have received mental health, substance abuse, or other care pursuant to paragraph 14 of this subsection that indicates an explicit threat to the safety of students or school personnel, provided the disclosure of the information does not violate the requirements and provisions of the Family Educational Rights and Privacy Act of 1974, the Health Insurance Portability and Accountability Act of 1996, Section 2503 of Title 12 of the Oklahoma Statutes, Section 1376 of Title 59 of the Oklahoma Statutes, or any other state or federal laws regarding the disclosure of confidential information.

B. In developing the policy, the district board of education shall make an effort to involve the teachers, parents, administrators, school staff, school volunteers, community representatives, local law enforcement agencies and students. The students, teachers, and parents or guardian of every child residing within a school district shall be notified by the district board of education of its adoption of the policy and shall receive a copy upon request. The school district policy shall be implemented in a manner that is ongoing throughout the school year and is integrated with other violence prevention efforts.
C. The teacher of a child attending a public school shall have the same right as a parent or guardian to control and discipline such child according to district policies during the time the child is in attendance or in transit to or from the school or any other school function authorized by the school district or classroom presided over by the teacher.

D. Except concerning students on individualized education plans (IEP) pursuant to the Individuals with Disabilities Education Act (IDEA), P.L. No. 101-476, the State Board of Education shall not have authority to prescribe student disciplinary policies for school districts or to proscribe corporal punishment in the public schools. The State Board of Education shall not have authority to require school districts to file student disciplinary action reports more often than once each year and shall not use disciplinary action reports in determining a school district's or school site's eligibility for program assistance including competitive grants.

E. The board of education of each school district in this state shall have the option of adopting a dress code for students enrolled in the school district. The board of education of a school district shall also have the option of adopting a dress code which includes school uniforms.

F. The board of education of each school district in this state shall have the option of adopting a procedure that requires students to perform campus-site service for violating the district's policy.

G. The State Board of Education shall:

1. Promulgate rules for periodically monitoring school districts for compliance with this section and providing sanctions for noncompliance with this section;

2. Establish and maintain a central repository for the collection of information regarding documented and verified incidents of bullying; and

3. Publish a report annually on the State Department of Education website regarding the number of documented and verified incidents of bullying in the public schools in the state.
Passed the Senate the 2nd day of May, 2016.

Kris Davis
Presiding Officer of the Senate

Passed the House of Representatives the 11th day of April, 2016.

Chad J. Smith
Presiding Officer of the House of Representatives

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this 3rd day of May, 2016, at 11:15 o'clock A.M.

By: Audrey Rockwell

Approved by the Governor of the State of Oklahoma this 9th day of May, 2016, at 1:20 o'clock P.M.

Mary Fallin
Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this 9th day of May, 2016, at 2:44 o'clock P.M.

By: Charie Baugher

ENR. S. B. NO. 911
An Act

ENROLLED SENATE
BILL NO. 929

By: Sharp and Pittman of the Senate

and

Wood and Leewright of the House

An Act relating to schools; creating the 2016 Workforce Oklahoma Academic High School Diploma Recognition Act; allowing school districts to implement graduation recognitions for certain students; establishing eligibility criteria for certain recognitions; providing for indication of recognitions; providing definition; providing for promulgation of rules; and providing for codification.

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

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 11-103.61 of Title 70, unless there is created a duplication in numbering, reads as follows:

A. This act shall be known and may be cited as the "2016 Workforce Oklahoma Academic High School Diploma Recognition Act".

B. Beginning with the 2020-2021 high school graduating class, a school district may implement graduation recognitions for students who have met the curricular requirements set forth in Section 11-
103.6d of Title 70 of the Oklahoma Statutes and who have participated in an approved program of study leading to a recognized career and/or postsecondary education pathway. Such students may be eligible for the following graduation recognitions on their standard diploma:

1. "Recognition of highest academic distinction" for students who achieve a cumulative high school grade point average of 3.75 or higher on a 4.0 scale for all coursework performed in their career pathway of choice, along with meeting state-recognized college entrance requirements at the time of graduation;

2. "Recognition of academic honors" for students who achieve a cumulative high school grade point average of 3.5 or higher on a 4.0 scale for all coursework performed in their career pathway of choice, along with meeting state-recognized college entrance requirements at the time of graduation; and

3. "Recognition of academic merit" for students who achieve a cumulative high school grade point average of 3.0 or higher on a 4.0 scale for all coursework performed in their career pathway of choice, along with meeting state-recognized college entrance requirements at the time of graduation.

C. A graduation recognition awarded pursuant to this section may be indicated upon the diploma and high school transcript of those students who qualify for such status.

D. For the purposes of this section "approved programs of study" shall mean those programs of study identified by the local school district that shall include an identified sequence of courses leading to career entry and/or postsecondary education. Approved course sequences shall include at least six (6) credits within a career pathway and shall include advanced placement courses, career and technical science, technology, engineering and mathematics (STEM) courses, concurrent enrollment college courses or a combination of such courses that best prepare students for work or further study in a career pathway of their choice.

E. The State Board of Education and the State Board of Career and Technology Education shall promulgate rules necessary to implement the provisions of this section.
Passed the Senate the 23rd day of May, 2016.

Presiding Officer of the Senate

Passed the House of Representatives the 24th day of May, 2016.

Presiding Officer of the House of Representatives

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this ________________
day of ________________, 20_____, at _____ o'clock _____ M.
By: _________________________________

Approved by the Governor of the State of Oklahoma this ______
day of ________________, 20_____, at _____ o'clock _____ M.

_________________________________
Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this ______
day of ________________, 20 _____, at _____ o'clock _____ M.
By: _________________________________
An Act

ENROLLED SENATE
BILL NO. 933

By: Thompson of the Senate

and

Casey of the House

An Act relating to schools; amending 70 O.S. 2011, Section 3-104.4, as last amended by Section 1, Chapter 311, O.S.L. 2014 (70 O.S. Supp. 2015, Section 3-104.4), which relates to accreditation standards; prohibiting the withdrawal or denial of accreditation for failure to meet certain media program standards until certain conditions are met; changing effect of certain conditions upon reduction of certain amount; prohibiting the State Board of Education from assessing financial accreditation penalties until certain conditions are met; changing effect of certain conditions upon reduction of certain amount; providing for certain calculation; amending 70 O.S. 2011, Section 3-167, as last amended by Section 3, Chapter 311, O.S.L. 2014 (70 O.S. Supp. 2015, Section 3-167), which relates to advisory councils; exempting school districts from certain advisory council requirements until certain conditions are met; changing effect of certain conditions upon reduction of certain amount; amending 70 O.S. 2011, Sections 16-111 and 16-114a, as last amended by Sections 4 and 5, Chapter 311, O.S.L. 2014 (70 O.S. Supp. 2015, Sections 16-111 and 16-114a), which relate to textbook adoption and allocation; exempting school districts from certain textbook adoption and textbook allocation expenditure requirements until certain conditions are met; changing effect of certain conditions upon reduction of certain amount; providing procedure for school districts seeking flexibility in textbook funding allocation; providing an effective date; and declaring an emergency.
SUBJECT: Schools

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 70 O.S. 2011, Section 3-104.4, as last amended by Section 1, Chapter 311, O.S.L. 2014 (70 O.S. Supp. 2015, Section 3-104.4), is amended to read as follows:

Section 3-104.4. A. On or before February 1, 1991, the State Board of Education shall adopt standards for the accreditation of the public schools in this state according to the requirements of this act, to be effective as set forth in this act. The accreditation standards shall incorporate the curricular standards established pursuant to Section 11-103.6 of this title. The accreditation standards shall equal or exceed the accreditation standards for schools promulgated by the North Central Association of Colleges and Schools to the extent that the standards are consistent with an academic results oriented approach to accreditation, excluding those standards which deal with affective behavior to the extent the adoption of the standards does not conflict with state statute. The accreditation adopted by the State Board shall encompass accreditation for elementary schools, middle schools, junior high schools, and high schools. The accreditation standards shall be made available for public inspection at the offices of the State Department of Education.

B. Standards for accreditation adopted by the State Board of Education shall include standards relating to the provision of school counselors to the public school children of this state. The State Board of Education shall require each local school district to provide information regarding the number of counselors serving each school site, the duties of all such counselors including all administrative duties, the number of students served by each counselor, and information regarding the number of counselors employed per elementary school, middle school, junior high school and high school.

C. Except as otherwise provided by subsection A of this section with regard to curricular standards, as a condition of receiving state accreditation pursuant to this act:
1. High schools shall meet the accreditation standards not later than June 30, 1995; and

2. Elementary, middle and junior high schools shall meet the accreditation standards not later than June 30, 1999.

Schools shall thereafter continue to meet the accreditation standards as a condition of continued accreditation. Nothing herein shall be construed as preventing changes to the adopted standards by the State Board of Education pursuant to the Administrative Procedures Act.

D. If one or more school sites fails to receive accreditation as required pursuant to this section by the dates set forth in subsection C of this section or subsequently loses accreditation, the State Board of Education shall close the school and reassign the students to accredited schools within the district or shall annex the district to one or more other districts in which the students can be educated in accredited schools.

E. State Board accreditation regulations shall provide for warnings and for assistance to schools and school districts whenever there is reason to believe a school is in danger of losing its state accreditation.

F. The State Board shall provide assistance to districts in considering the possibility of meeting accreditation requirements through the use of nontraditional means of instruction. The State Board shall also assist districts in forming cooperatives and making arrangements for the use of satellite instruction or other instructional technologies to the extent that use of such instructional means meets accreditation standards.

G. For the fiscal years ending June 30, 2015, and June 30, 2016, accreditation

1. Accreditation shall not be withdrawn from or denied nor shall a penalty be assessed against a school or school district for failing to meet the media materials and equipment standards and media program expenditure standards as set forth in the accreditation standards adopted by the Board.
2. The provisions of paragraph 1 of this subsection shall cease to be effective during a fiscal year immediately following a fiscal year that the state financial support of public schools provides an amount equal to or more than Three Thousand Two Hundred Ninety-one Dollars and sixty cents ($3,291.60) per weighted average daily membership as calculated pursuant to Section 18-200.1 of this title and reported to school districts by the State Department of Education on the initial tentative State Aid allocation notice.

3. If the amount set and calculated as provided for in paragraph 2 of this subsection is reduced by one percent (1%) or more as reported to school districts by the Department on the initial tentative State Aid allocation notice for the following fiscal year, the provisions of paragraph 2 of this subsection shall cease to be effective and the provisions of paragraph 1 of this subsection shall continue to be effective.

H. 1. The State Board shall not assess a financial penalty against any school district which is given a deficiency in accreditation status during any fiscal years ending June 30, 2015, and June 30, 2016 year as provided for in this subsection.

2. The provisions of paragraph 1 of this subsection shall cease to be effective during a fiscal year immediately following a fiscal year that the state financial support of public schools provides an amount equal to or more than Three Thousand Two Hundred Ninety-one Dollars and sixty cents ($3,291.60) per weighted average daily membership as calculated pursuant to Section 18-200.1 of this title and reported to school districts by the State Department of Education on the initial tentative State Aid allocation notice.

3. If the amount set and calculated as provided for in paragraph 2 of this subsection is reduced by one percent (1%) or more as reported to school districts by the Department on the initial tentative State Aid allocation notice for the following fiscal year, the provisions of paragraph 2 of this subsection shall cease to be effective and the provisions of paragraph 1 of this subsection shall continue to be effective.

I. Accreditation shall not be withdrawn from or denied, nor shall a penalty be assessed against, a school district for complying with this section.
SECTION 2. AMENDATORY 70 O.S. 2011, Section 3-167, as last amended by Section 3, Chapter 311, O.S.L. 2014 (70 O.S. Supp. 2015, Section 3-167), is amended to read as follows:

Section 3-167. For the fiscal years ending June 30, 2015, and June 30, 2016, the A. 1. The State Board of Education shall exempt all school districts from or waive any policy, rule or law which requires school districts to form, convene, or participate in any advisory council or committee, including but not limited to the requirement to convene an advisory council when preparing the school improvement plan as set forth in Section 5-117.4 of this title.

2. The provisions of paragraph 1 of this subsection shall cease to be effective during a fiscal year immediately following a fiscal year that the state financial support of public schools provides an amount equal to or more than Three Thousand Two Hundred Ninety-one Dollars and sixty cents ($3,291.60) per weighted average daily membership as calculated pursuant to Section 18-200.1 of this title and reported to school districts by the State Department of Education on the initial tentative State Aid allocation notice.

3. If the amount set and calculated as provided for in paragraph 2 of this subsection is reduced by one percent (1%) or more as reported to school districts by the Department on the initial tentative State Aid allocation notice for the following fiscal year, the provisions of paragraph 2 of this subsection shall cease to be effective and the provisions of paragraph 1 of this subsection shall continue to be effective.

B. School districts shall not be exempted from forming, convening or participating in an advisory council or committee if required by federal law or regulation.

SECTION 3. AMENDATORY 70 O.S. 2011, Section 16-111, as last amended by Section 4, Chapter 311, O.S.L. 2014 (70 O.S. Supp. 2015, Section 16-111), is amended to read as follows:

Section 16-111. A. Except as otherwise provided for in subsection E of this section, the superintendent of schools of each school district in the state shall appoint a local textbook committee consisting of not fewer than three nor more than nine
members. Each committee shall have one lay member, with the remainder of the members being teachers employed in the public schools of the district, a majority of whom shall be classroom teachers. The superintendent of schools or a designee who shall be a principal or a curriculum specialist shall serve as chairperson of the local textbook committee.

B. Upon the written request of any duly appointed local textbook coordinator, the publisher of a textbook selected by the State Textbook Committee shall furnish at least one examination copy of the textbook and the teacher edition of the textbook, if one is published, and a copy of software for purposes of complete demonstration and review, if available, to the school district so that the local textbook committee may examine any or all new adoptions in the subjects taught or to be taught in schools in the district.

C. Except as otherwise provided for in subsection E of this section, on or before a date to be fixed by the State Board of Education, each local textbook committee shall adopt textbooks from the multiple list selected by the State Textbook Committee in a manner as shall be prescribed by the State Board of Education. Each local textbook committee shall serve without compensation and shall cease to exist when local adoptions have been completed and shall be replaced by another local textbook committee appointed in the same manner as provided for in this section.

D. Except as otherwise provided for in subsection E of this section, on or before a date to be fixed by the State Board of Education, the superintendent of each school district shall submit to the State Board of Education a textbook plan outlining the estimated number of textbooks needed by the school district and the total amount of money to be expended by the district for textbooks including the allocated funds and any additional supplemental funds to be expended. The superintendent or textbook coordinator appointed by the superintendent, shall place orders from the proper depository or depositaries for all of the textbooks needed as outlined in the textbook plan by the district for the ensuing year. The superintendent of a school district or textbook coordinator may order any textbooks placed on the official multiple textbook list. If the order exceeds the allocation for each school district as provided in Section 16-114a of this title any additional funds
expended shall be reported on the statement of expenditures for the district.

E. For the fiscal years ending June 30, 2015, and June 30, 2016, a school district 1. If a school district makes the election as provided for in subsection B of Section 16-114a of this title, the district shall not be required to appoint a local textbook committee, adopt textbooks, submit a textbook plan, or expend money on the purchase of textbooks during the any fiscal year if the school district makes the election as provided for in subsection B of Section 16-114a of this title as provided for in this subsection.

2. The provisions of paragraph 1 of this subsection shall cease to be effective during a fiscal year immediately following a fiscal year that the state financial support of public schools provides an amount equal to or more than Three Thousand Two Hundred Ninety-one Dollars and sixty cents ($3,291.60) per weighted average daily membership as calculated pursuant to Section 18-200.1 of this title and reported to school districts by the State Department of Education on the initial tentative State Aid allocation notice.

3. If the amount set and calculated as provided for in paragraph 2 of this subsection is reduced by one percent (1%) or more as reported to school districts by the Department on the initial tentative State Aid allocation notice for the following fiscal year, the provisions of paragraph 2 of this subsection shall cease to be effective and the provisions of paragraph 1 of this subsection shall continue to be effective.

SECTION 4. AMENDATORY 70 O.S. 2011, Section 16-114a, as last amended by Section 5, Chapter 311, O.S.L. 2014 (70 O.S. Supp. 2015, Section 16-114a), is amended to read as follows:

Section 16-114a. A. Based upon legislative appropriations, the State Board of Education shall determine the textbook allocation to be distributed to each school district in the state. Each year the textbook allocation for each school district shall be calculated and distributed in July and adjusted in December. The initial allocation shall be calculated based on the audited end-of-year average daily attendance of the preceding school year multiplied by Fifty-five Dollars ($55.00). The initial allocation shall be calculated and distributed to each school district in July. The
December adjustment shall be calculated by multiplying the audited first nine (9) weeks' average daily attendance for that current school year by Fifty-five Dollars ($55.00) and subtracting from that amount the amount of the initial allocation. The adjustment shall be calculated in December and distributed to each eligible school district no later than January 15. A school district shall receive an adjustment only if the adjustment figure as calculated in this section is greater than zero. The State Department of Education shall retain from the total amount appropriated for textbooks not less than one percent (1%) of the total amount to be used for the purpose of making the adjustments. If the amount appropriated, including the retained amount, is not sufficient to fully fund the adjusted allocation, each school district eligible for an adjustment shall receive a proportionate reduction in funding. Any unused portion of the value of textbooks allowed to a school district shall be cumulative and may be carried over by the school district to subsequent fiscal years, in addition to the allocation it is entitled to receive during that fiscal year.

B. For the fiscal years ending June 30, 2015, and June 30, 2016, a school district seeking flexibility in the use of state-appropriated funding allocated pursuant to this section for textbooks shall be required to demonstrate to the State Board of Education that the textbooks and instructional materials used by the district for the subject areas being considered in the current textbook adoption cycle are current and appropriate for student learning. Subject to the provisions of subsection E of Section 16-111 of this title, a school district that has received textbook funding flexibility approval from the Board may elect to expend any monies allocated pursuant to this section for textbooks, including any monies carried over as authorized pursuant to subsection A of this section, for any purpose related to the support and maintenance of the school district as determined by the board of education of the school district.

C. All textbooks distributed to a school district that have been destroyed by fire or other hazard shall be replaced by the State Board of Education. The total cost of all additional textbooks delivered to school districts to replace those destroyed by fire or other hazard shall not exceed, for the entire state in any fiscal year, the aggregate sum of One Hundred Thousand Dollars ($100,000.00), which sum shall be reserved for that purpose from any
appropriation made to carry out the provision of this section for any fiscal year.

SECTION 5. This act shall become effective July 1, 2016.

SECTION 6. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.
Passed the Senate the 28th day of April, 2016.

[Signature]
Presiding Officer of the Senate

Passed the House of Representatives the 21st day of April, 2016.

[Signature]
Presiding Officer of the House of Representatives

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this 2nd day of May, 2016, at 2:40 o'clock P.M.

By: [Signature]

Approved by the Governor of the State of Oklahoma this 5th day of May, 2016, at 3:02 o'clock P.M.

[Signature]
Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this 5th day of May, 2016, at 3:38 o'clock P.M.

By: [Signature]
An Act

ENROLLED SENATE
BILL NO. 1004

By: Sharp of the Senate
and
Henke of the House

An Act relating to schools; amending 70 O.S. 2011, Section 35e, as amended by Section 1, Chapter 172, O.S.L. 2013 (70 O.S. Supp. 2015, Section 35e), which relates to dropout reports; modifying the frequency that dropout reports are to be submitted; providing an effective date; and declaring an emergency.

SUBJECT: School dropout reports

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 70 O.S. 2011, Section 35e, as amended by Section 1, Chapter 172, O.S.L. 2013 (70 O.S. Supp. 2015, Section 35e), is amended to read as follows:

Section 35e. A. It shall be the duty of the superintendent, principal or head teacher of each public or private middle, junior high and high school accredited by the State Department of Education in the State of Oklahoma to notify the State Department of Education quarterly as scheduled by the Department of the name, address, race and age of any pupil dropping out from the school during the preceding quarter year. The report shall be made on forms prescribed and furnished by the State Department of Education.

B. The State Board of Education shall cause these statistics of school dropouts to be tabulated by grade and school district. Information of school dropouts shall be made available to the Oklahoma Department of Career and Technology Education, the Bureau
of Indian Affairs, the Military Department of the State of Oklahoma for use in the youth educational programs provided by the Department and the State Department of Health.

C. The State Department of Education shall make an annual report to the Legislature prior to the convening of each regular session thereof of information received and tabulated pursuant to this section.

D. For the purposes of this section, school dropout means any student who is under the age of nineteen (19) and has not graduated from high school and is not attending any public or private school or is otherwise receiving an education pursuant to law for the full term the schools of the school district in which the student resides are in session.

SECTION 2. This act shall become effective July 1, 2016.

SECTION 3. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.
Passed the Senate the 23rd day of February, 2016.

Presiding officer of the Senate

Passed the House of Representatives the 4th day of April, 2016.

Presiding Officer of the House of Representatives

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this 5th day of April, 2016, at 3:20 o'clock P M.

By: [Signature]

Approved by the Governor of the State of Oklahoma this 11th day of April, 2016, at 4:34 o'clock P M.

Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this 11th day of April, 2016, at 5:05 o'clock P M.

By: [Signature]
An Act

ENROLLED SENATE
BILL NO. 1036

By: Smalley of the Senate

and

Coody (Jeff) and Kern of the House

An Act relating to school personnel; amending 51 O.S. 2011, Section 24A.28, as amended by Section 1, Chapter 14, O.S.L. 2013 (51 O.S. Supp. 2015, Section 24A.28), which relates to the Oklahoma Open Records Act; exempting certain names from disclosure; providing an effective date; and declaring an emergency.

SUBJECT: Confidential school personnel information

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY  51 O.S. 2011, Section 24A.28, as amended by Section 1, Chapter 14, O.S.L. 2013 (51 O.S. Supp. 2015, Section 24A.28), is amended to read as follows:

Section 24A.28. A. The following information may be kept confidential:

1. Investigative evidence of a plan or scheme to commit an act of terrorism;

2. Assessments of the vulnerability of government facilities or public improvements to an act of terrorism and work papers directly related to preparing the assessment of vulnerability;
3. Records including details for deterrence or prevention of or protection from an act or threat of an act of terrorism;

4. Records including details for response or remediation after an act of terrorism;

5. Information technology of a public body or public official but only if the information specifically identifies:
   a. design or functional schematics that demonstrate the relationship or connections between devices or systems,
   b. system configuration information,
   c. security monitoring and response equipment placement and configuration,
   d. specific location or placement of systems, components or devices,
   e. system identification numbers, names, or connecting circuits,
   f. business continuity and disaster planning, or response plans, or
   g. investigative information directly related to security penetrations or denial of services;

6. Investigation evidence of an act of terrorism that has already been committed;

7. Records received, maintained or generated by the Oklahoma Office of Homeland Security which include confidential private business information or an individual's private records;

8. Records received by the Oklahoma Office of Homeland Security from the United States Department of Homeland Security or records maintained or generated by the Oklahoma Office of Homeland Security involving the United States Department of Homeland Security; and
9. Records received, maintained or generated by the Department of Environmental Quality that contain information regarding sources of radiation in quantities determined by the United States Nuclear Regulatory Commission to be significant to public health and safety, by whomever possessed, whether in transit or at fixed sites, when the information could reasonably be expected to have an adverse effect on the health and safety of the public by increasing the likelihood of theft, diversion or sabotage of the radiation sources or facilities. The information may include but is not limited to information:

   a. from or relating to radioactive material licensees identifying the exact location of the radioactive material,

   b. describing how the radioactive material is secured from unauthorized removal or access when it is in storage,

   c. describing the control and maintenance of constant surveillance of the radioactive material when it is not in storage,

   d. describing specific policies and procedures for actions to physically protect the radioactive material,

   e. identifying possession limits or actual inventories of radionuclides,

   f. containing or describing assessments or analyses that could reveal vulnerabilities,

   g. identifying specific locations of safety and security equipment,

   h. describing emergency planning, emergency response and fire protection, and

   i. containing or describing other information that could reasonably be expected to be useful to persons with malevolent intent; and
10. The names of school district personnel who have been designated to carry a firearm pursuant to Section 5-149.2 of Title 70 of the Oklahoma Statutes.

B. The following information shall not be kept confidential:

1. Records related to federal grants administered by the Oklahoma Office of Homeland Security or the Department of Environmental Quality;

2. Records related to the receipt and expenditure of public funds; or

3. Records related to the financial performance or financial administration of the Oklahoma Office of Homeland Security or the Department of Environmental Quality.

C. For the purposes of this section, the term "terrorism" means any act encompassed by the definitions set forth in Section 1268.1 of Title 21 of the Oklahoma Statutes.

D. 1. Public educational institutions may keep confidential campus security plans. An institution or agency may in its discretion release information contained in or related to the campus security plan in order to design or implement the plan.

2. Nothing in this subsection shall preclude an institution or agency within The Oklahoma State System of Higher Education from collecting and releasing information relating to campus crime statistics and campus security policies as is required pursuant to the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, 20 U.S.C. 1092(f).

3. For purposes of this subsection, "campus security plan" shall include, but is not limited to, prevention and response procedures to and notification procedures for perceived or actual security threats and incidents on or impacting the campus.

SECTION 2. This act shall become effective July 1, 2016.
SECTION 3. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.
Passed the Senate the 27th day of April, 2016.

Presiding Officer of the Senate

Passed the House of Representatives the 4th day of April, 2016.

Presiding Officer of the House of Representatives

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this 28th day of April, 2016, at 12:01 o'clock P.M.

By: Audrey Boese

Approved by the Governor of the State of Oklahoma this 4th day of May, 2016, at 4:31 o'clock P.M.

Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this 4th day of May, 2016, at 4:40 o'clock P.M.

By: Chris Benge
An Act

ENROLLED SENATE
BILL NO. 1038

By: Smalley of the Senate
and
Martin of the House

An Act relating to teaching certification; providing for the creation of the Teaching Certification Scholarship Program; providing purpose of program to provide certain scholarships subject to available funds; directing the Commission for Educational Quality and Accountability to establish eligibility criteria; creating certain limitation; requiring recipients of scholarship to submit certain declaration; creating the Teaching Certification Scholarship Revolving Fund; specifying sources of fund; providing for expenditures; providing for promulgation of rules; providing for codification; and providing an effective date.

SUBJECT: Creating the Teaching Certification Scholarship Program

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 6-187B of Title 70, unless there is created a duplication in numbering, reads as follows:

A. The Commission for Educational Quality and Accountability shall establish the Teaching Certification Scholarship Program. The purpose of the program shall be to provide qualifying teacher candidates who are seeking certification with a scholarship toward the cost of competency examinations required by Section 6-187 of Title 70 of the Oklahoma Statutes, subject to the availability of funds.
B. The Commission shall establish eligibility criteria for the Teaching Certification Scholarship Program.

C. Scholarships granted pursuant to this section shall be limited to one per teacher candidate.

D. A teacher candidate who accepts a scholarship shall be required to submit to the Commission a declaration to teach for a minimum of one (1) year in an accredited school district in Oklahoma. If the teacher candidate does not teach at a school district in Oklahoma upon achieving certification, he or she shall be required to reimburse the Commission for the full amount awarded.

SECTION 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 6-187C of Title 70, unless there is created a duplication in numbering, reads as follows:

There is hereby created in the State Treasury a revolving fund for the Office of Educational Quality and Accountability to be designated the "Teaching Certification Scholarship Revolving Fund". The fund shall be a continuing fund, not subject to fiscal year limitations, and shall consist of all monies received by the Office of Educational Quality and Accountability from the Legislature and any donations, grants and gifts from any public or private source. All monies accruing to the credit of the fund are hereby appropriated and may be budgeted and expended by the Office of Educational Quality and Accountability for the purpose of implementing the Teaching Certification Scholarship Program. Expenditures from the fund shall be made upon warrants issued by the State Treasurer against claims filed as prescribed by law with the Director of the Office of Management and Enterprise Services for approval and payment.

SECTION 3. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 6-187D of Title 70, unless there is created a duplication in numbering, reads as follows:

The Commission for Educational Quality and Accountability shall promulgate rules necessary to implement the provisions of this act.

SECTION 4. This act shall become effective January 1, 2017.
Passed the Senate the 1st day of March, 2016.

[Signature]

Presiding Officer of the Senate

Passed the House of Representatives the 31st day of March, 2016.

[Signature]

Presiding Officer of the House of Representatives

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this 4th day of April, 2016, at 3:30 o'clock P.M.

By: Audrey Bozwell

Approved by the Governor of the State of Oklahoma this 7th day of April, 2016, at 3:18 o'clock P.M.

[Signature]

Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this 7th day of April, 2016, at 3:43 o'clock P.M.

By: [Signature]

ENR. S. B. NO. 1038 Page 3
An Act relating to subject matter standards; amending 70 O.S. 2011, Section 11-103.6, as last amended by Section 33, Chapter 54, O.S.L. 2015 (70 O.S. Supp. 2015, Section 11-103.6), which relates to curricular requirements for graduation; providing for students who have failed to meet certain requirements to re-enroll and be offered remediation or intervention and the opportunity to complete curriculum units or sets of competencies necessary to meet graduation requirements; exempting certain students from certain requirements; amending 70 O.S. 2011, Section 1210.526, as amended by Section 2, Chapter 367, O.S.L. 2013 (70 O.S. Supp. 2015, Section 1210.526), which relates to Achieving Classroom Excellence Act funding; providing for calculation of State Aid for certain students; providing an effective date; and declaring an emergency.

SUBJECT: Graduation requirements

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 70 O.S. 2011, Section 11-103.6, as last amended by Section 33, Chapter 54, O.S.L. 2015 (70 O.S. Supp. 2015, Section 11-103.6), is amended to read as follows:

Section 11-103.6. A. 1. The State Board of Education shall adopt subject matter standards for instruction of students in the
public schools of this state that are necessary to ensure there is attainment of desired levels of competencies in a variety of areas to include language, mathematics, science, social studies and communication.

2. School districts shall develop and implement curriculum, courses and instruction in order to ensure that students meet the skills and competencies as set forth in this section and in the subject matter standards adopted by the State Board of Education.

3. All students shall gain literacy at the elementary and secondary levels. Students shall develop skills in reading, writing, speaking, computing and critical thinking. For purposes of this section, critical thinking means a manner of analytical thinking which is logical and uses linear factual analysis to reach a conclusion. They also shall learn about cultures and environments - their own and those of others with whom they share the earth. Students, therefore, shall study social studies, literature, languages, the arts, mathematics and science. Such curricula shall provide for the teaching of a hands-on career exploration program in cooperation with technology center schools.

4. The subject matter standards shall be designed to teach the competencies for which students shall be tested as provided in Section 1210.508 of this title, and shall be designed to prepare all students for active citizenship, employment and/or successful completion of postsecondary education without the need for remedial coursework at the postsecondary level.

5. The subject matter standards shall be designed with rigor as defined in paragraph 3 of subsection F of this section.

6. The subject matter standards for English Language Arts shall give Classic Literature and nonfiction literature equal consideration to other literature. In addition, emphasis shall be given to the study of complete works of literature.

7. At a minimum, the subject matter standards for mathematics shall require mastery of the standard algorithms in mathematics, which is the most logical, efficient way of solving a problem that consistently works, and for students to attain fluency in Euclidian geometry.
B. Subject to the provisions of subsection C of this section, in order to graduate from a public high school accredited by the State Board of Education with a standard diploma, students shall complete the following college preparatory/work ready curriculum units or sets of competencies at the secondary level:

1. Four units or sets of competencies of English to include Grammar, Composition, Literature, or any English course approved for college admission requirements;

2. Three units or sets of competencies of mathematics, limited to Algebra I, Algebra II, Geometry, Trigonometry, Math Analysis, Calculus, Advanced Placement Statistics, or any mathematics course with content and/or rigor above Algebra I and approved for college admission requirements;

3. Three units or sets of competencies of laboratory science, limited to Biology, Chemistry, Physics, or any laboratory science course with content and/or rigor equal to or above Biology and approved for college admission requirements;

4. Three units or sets of competencies of history and citizenship skills, including one unit of American History, 1/2 unit of Oklahoma History, 1/2 unit of United States Government and one unit from the subjects of History, Government, Geography, Economics, Civics, or non-Western culture and approved for college admission requirements;

5. Two units or sets of competencies of the same foreign or non-English language or two units of computer technology approved for college admission requirements, whether taught at a high school or a technology center school, including computer programming, hardware, and business computer applications, such as word processing, databases, spreadsheets, and graphics, excluding keyboarding or typing courses;

6. One additional unit or set of competencies selected from paragraphs 1 through 5 of this subsection or career and technology education courses approved for college admission requirements; and
7. One unit or set of competencies of fine arts, such as music, art, or drama, or one unit or set of competencies of speech.

C. In lieu of the requirements of subsection B of this section which requires a college preparatory/work ready curriculum, a student may enroll in the core curriculum as provided in subsection D of this section upon written approval of the parent or legal guardian of the student. School districts may require a parent or legal guardian of the student to meet with a designee of the school prior to enrollment in the core curriculum. The State Department of Education shall develop and distribute to school districts a form suitable for this purpose, which shall include information on the benefits to students of completing the college preparatory/work ready curriculum as provided for in subsection B of this section.

D. For those students subject to the requirements of subsection C of this section, in order to graduate from a public high school accredited by the State Board of Education with a standard diploma, students shall complete the following core curriculum units or sets of competencies at the secondary level:

1. Language Arts - 4 units or sets of competencies, to consist of 1 unit or set of competencies of grammar and composition, and 3 units or sets of competencies which may include, but are not limited to, the following courses:
   a. American Literature,
   b. English Literature,
   c. World Literature,
   d. Advanced English Courses, or
   e. other English courses with content and/or rigor equal to or above grammar and composition;

2. Mathematics - 3 units or sets of competencies, to consist of 1 unit or set of competencies of Algebra I or Algebra I taught in a contextual methodology, and 2 units or sets of competencies which may include, but are not limited to, the following courses:
a. Algebra II,

b. Geometry or Geometry taught in a contextual methodology,

c. Trigonometry,

d. Math Analysis or Precalculus,

e. Calculus,

f. Statistics and/or Probability,

g. Computer Science,

h. (1) contextual mathematics courses which enhance technology preparation, or

(2) a science, technology, engineering and math (STEM) block course meeting the requirements for course competencies listed in paragraph 2 of subsection B of this section, whether taught at a:

(a) comprehensive high school, or

(b) technology center school when taken in the tenth, eleventh or twelfth grade, taught by a certified teacher, and approved by the State Board of Education and the independent district board of education,

i. mathematics courses taught at a technology center school by a teacher certified in the secondary subject area when taken in the tenth, eleventh or twelfth grade upon approval of the State Board of Education and the independent district board of education, or

j. equal to or above Algebra I;

3. Science - 3 units or sets of competencies, to consist of 1 unit or set of competencies of Biology I or Biology I taught in a
contextual methodology, and 2 units or sets of competencies in the areas of life, physical, or earth science or technology which may include, but are not limited to, the following courses:

a. Chemistry I,
b. Physics,
c. Biology II,
d. Chemistry II,
e. Physical Science,
f. Earth Science,
g. Botany,
h. Zoology,
i. Physiology,
j. Astronomy,
k. Applied Biology/Chemistry,
l. Applied Physics,
m. Principles of Technology,
n. qualified agricultural education courses,
o. (1) contextual science courses which enhance technology preparation, or

(2) a science, technology, engineering and math (STEM) block course meeting the requirements for course competencies listed in paragraph 3 of subsection B of this section, whether taught at a:

(a) comprehensive high school, or
(b) technology center school when taken in the tenth, eleventh or twelfth grade, taught by a certified teacher, and approved by the State Board of Education and the independent district board of education,

p. science courses taught at a technology center school by a teacher certified in the secondary subject area when taken in the tenth, eleventh or twelfth grade upon approval of the State Board of Education and the independent district board of education, or

q. other science courses with content and/or rigor equal to or above Biology I;

4. Social Studies - 3 units or sets of competencies, to consist of 1 unit or set of competencies of United States History, 1/2 to 1 unit or set of competencies of United States Government, 1/2 unit or set of competencies of Oklahoma History, and 1/2 to 1 unit or set of competencies which may include, but are not limited to, the following courses:

   a. World History,

   b. Geography,

   c. Economics,

   d. Anthropology, or

   e. other social studies courses with content and/or rigor equal to or above United States History, United States Government, and Oklahoma History; and

5. Arts - 2 units or sets of competencies which may include, but are not limited to, courses in Visual Arts and General Music.

E. 1. In addition to the curriculum requirements of either subsection B or D of this section, in order to graduate from a public high school accredited by the State Board of Education students shall complete the requirements for a personal financial
literacy passport as set forth in the Passport to Financial Literacy Act and any additional course requirements or recommended elective courses as may be established by the State Board of Education and the district school board. School districts shall strongly encourage students to complete two units or sets of competencies of foreign languages and two units or sets of competencies of physical and health education.

2. No student shall receive credit for high school graduation more than once for completion of the same unit or set of competencies to satisfy the curriculum requirements of this section.

3. A school district shall not be required to offer every course listed in subsections B and D of this section, but shall offer sufficient courses to allow a student to meet the graduation requirements during the secondary grade years of the student.

F. For purposes of this section:

1. "Contextual methodology" means academic content and skills taught by utilizing real-world problems and projects in a way that helps students understand the application of that knowledge;

2. "Qualified agricultural education courses" means courses that have been determined by the State Board of Education to offer the sets of competencies for one or more science content areas and which correspond to academic science courses. Qualified agricultural education courses shall include, but are not limited to, Horticulture, Plant and Soil Science, Natural Resources and Environmental Science, and Animal Science. The courses shall be taught by teachers certified in agricultural education and comply with all rules of the Oklahoma Department of Career and Technology Education;

3. "Rigor" means a level of difficulty that is thorough, exhaustive and accurate and is appropriate for the grade level;

4. "Sets of competencies" means instruction in those skills and competencies that are specified in the subject matter standards adopted by the State Board of Education and other skills and competencies adopted by the Board, without regard to specified instructional time; and
5. "Unit" means a Carnegie Unit as defined by the North Central Association's Commission on Schools.

G. 1. The State Board of Education shall adopt a plan to ensure that rigor is maintained in the content, teaching methodology, level of expectations for student achievement, and application of learning in all the courses taught to meet the graduation requirements as specified in this section.

2. The State Board of Education shall allow as much flexibility at the district level as is possible without diminishing the rigor or undermining the intent of providing these courses. To accomplish this purpose, the State Department of Education shall work with school districts in reviewing and approving courses taught by districts that are not specifically listed in subsections B and D of this section. Options may include, but shall not be limited to, courses taken by concurrent enrollment, advanced placement, or correspondence, or courses bearing different titles.

3. The State Board of Education shall approve an advanced placement computer science course to meet the requirements of course competencies listed in paragraph 2 of subsection B of this section if the course is taken in a student's senior year and the student is concurrently enrolled in or has successfully completed Algebra II.

4. Technology center school districts may offer programs designed in cooperation with institutions of higher education which have an emphasis on a focused field of career study upon approval of the State Board of Education and the independent district board of education. Students in the tenth grade may be allowed to attend these programs for up to one-half (1/2) of a school day and credit for the units or sets of competencies required in paragraphs 2 and 3 of subsection B or D of this section shall be given if the courses are taught by a teacher certified in the secondary subject area; provided, credit for units or sets of competencies pursuant to subsection B of this section shall be approved for college admission requirements.

5. If a student enrolls in a concurrent course, the school district shall not be responsible for any costs incurred for that course, unless the school district does not offer enough course
selection during the student's secondary grade years to allow the student to receive the courses needed to meet the graduation requirements of this section. If the school district does not offer the necessary course selection during the student's secondary grade years, it shall be responsible for the cost of resident tuition at an institution in The Oklahoma State System of Higher Education, fees, and books for the concurrent enrollment course, and providing for transportation to and from the institution to the school site.

It is the intent of the Legislature that for students enrolled in a concurrent enrollment course which is paid for by the school district pursuant to this paragraph, the institution charge only the supplementary and special service fees that are directly related to the concurrent enrollment course and enrollment procedures for that student. It is further the intent of the Legislature that fees for student activities and student service facilities, including the student health care and cultural and recreational service fees, not be charged to such students.

6. Credit for the units or sets of competencies required in subsection B or D of this section shall be given when such units or sets of competencies are taken prior to ninth grade if the teachers are certified or authorized to teach the subjects for high school credit and the required rigor is maintained.

7. The three units or sets of competencies in mathematics required in subsection B or D of this section shall be completed in the ninth through twelfth grades. If a student completes any required courses or sets of competencies in mathematics prior to ninth grade, the student may take any other mathematics courses or sets of competencies to fulfill the requirement to complete three units or sets of competencies in grades nine through twelve after the student has satisfied the requirements of subsection B or D of this section.

8. All units or sets of competencies required for graduation may be taken in any sequence recommended by the school district.

H. As a condition of receiving accreditation from the State Board of Education, all students in grades nine through twelve shall enroll in a minimum of six periods, or the equivalent in block scheduling or other scheduling structure that allows for instruction
in sets of competencies, of rigorous academic and/or rigorous vocational courses each day, which may include arts, vocal and instrumental music, speech classes, and physical education classes.

I. 1. Academic and vocational-technical courses designed to offer sets of competencies integrated or embedded within the course that provide for the teaching and learning of the appropriate skills and knowledge in the subject matter standards, as adopted by the State Board of Education, may upon approval of the Board, in consultation with the Oklahoma Department of Career and Technology Education if the courses are offered at a technology center school district, be counted for academic credit and toward meeting the graduation requirements of this section.

2. Internet-based courses offered by a technology center school that are taught by a certified teacher and provide for the teaching and learning of the appropriate skills and knowledge in the subject matter standards may, upon approval of the State Board of Education and the independent district board of education, be counted for academic credit and toward meeting the graduation requirements of this section.

3. Internet-based courses or vocational-technical courses utilizing integrated or embedded skills for which no subject matter standards have been adopted by the State Board of Education may be approved by the Board, in consultation with the Oklahoma Department of Career and Technology Education if the courses are offered at a technology center school district, if such courses incorporate standards of nationally recognized professional organizations and are taught by certified teachers.

4. Courses offered by a supplemental education organization that is accredited by a national accrediting body and that are taught by a certified teacher and provide for the teaching and learning of the appropriate skills and knowledge in the subject matter standards may, upon approval of the State Board of Education and the school district board of education, be counted for academic credit and toward meeting the graduation requirements of this section.

J. The State Board of Education shall provide an option for high school graduation based upon attainment of the desired levels
of competencies as required in tests pursuant to the provisions of Section 1210.508 of this title. Such option shall be in lieu of the amount of course credits earned.

K. The State Board of Education shall prescribe, adopt and approve a promotion system based on the attainment by students of specified levels of competencies in each area of the core curriculum.

L. Children who have individualized education programs pursuant to the Individuals with Disabilities Education Act (IDEA), and who satisfy the graduation requirements through the individualized education program for that student shall be awarded a standard diploma.

M. Students who enter the ninth grade in or prior to the 2007-08 school year who are enrolled in an alternative education program and meet the requirements of their plans leading to high school graduation developed pursuant to Section 1210.568 of this title shall be awarded a standard diploma.

N. Any student who completes the curriculum requirements of the International Baccalaureate Diploma Program shall be awarded a standard diploma.

O. Any student who successfully completes an advanced mathematics or science course offered pursuant to Section 1210.404 of this title shall be granted academic credit toward meeting the graduation requirements pursuant to paragraph 2 or 3, as appropriate, of subsection B or D of this section.

P. For purposes of this section, the courses approved for college admission requirements shall be courses which are approved by the Oklahoma State Regents for Higher Education for admission to an institution within The Oklahoma State System of Higher Education.

Q. Students who have been denied a standard diploma by the school district in which the student is or was enrolled for failing to meet the requirements of this section may re-enroll in the school district that denied the student a standard diploma following the denial of a standard diploma. The student shall be provided remediation or intervention and the opportunity to complete the
curriculum units or sets of competencies required by this section to obtain a standard diploma. Students who re-enroll in the school district to meet the graduation requirements of this section shall be exempt from the hourly instructional requirements of Section 1-111 of this title and the six-period enrollment requirements of this section.

R. The State Department of Education shall collect and report data by school site and district on the number of students who enroll in the core curriculum as provided in subsection D of this section.

SECTION 2. AMENDATORY 70 O.S. 2011, Section 1210.526, as amended by Section 2, Chapter 367, O.S.L. 2013 (70 O.S. Supp. 2015, Section 1210.526), is amended to read as follows:

Section 1210.526. A. Contingent on the provision of appropriated funds designated for the Achieving Classroom Excellence Act of 2005, school districts shall be eligible for funding as follows:

1. A maximum of Two Hundred Forty Dollars ($240.00) for remediation or intervention for each subject-specific test by a student that resulted in a score at the unsatisfactory level and for which the student has been found to be in need of remediation or intervention pursuant to Sections 1210.522 and 1210.523 of this title;

2. A maximum of One Hundred Eighty Dollars ($180.00) for remediation or intervention for each subject-specific test by a student that resulted in a score at the limited knowledge level and for which the student has been found to be in need of remediation or intervention pursuant to Sections 1210.522 and 1210.523 of this title;

3. Funds for remediation or intervention as provided for in paragraphs 1 and 2 of this subsection shall be disbursed by the State Department of Education by September 1 of each year and shall be based on the most recent test results available from the previous school year or summer test administration; and
4. Claims for reimbursement for costs associated with administration of alternative assessments as required by Section 1210.523 of this title shall be filed with the State Department of Education at the end of each school semester or prior to the end of the fiscal year in which the alternative assessment is provided. Claims from summer alternative assessment administration provided in July or August shall be filed with the first semester claim of the subsequent school year. Claims shall be reimbursed in a timely manner.

B. Funds for remediation or intervention as provided for in subsection A of this section may be used to provide remediation or intervention to any student in grade 6 through grade 12 or any student under the age of twenty-one (21) who enrolls in a school district pursuant to subsection G of Section 1210.523 of this title in order to meet the graduation requirements of Section 1210.523 of this title who has been determined to be in need of remediation or intervention, including but not limited to those students who have scored at the unsatisfactory or limited knowledge level.

C. Remediation and intervention provided pursuant to this section by school districts shall be for the purpose of assisting students in performing at least at the satisfactory level on the applicable criterion-referenced tests in reading and mathematics at the eighth-grade level, or the applicable end-of-instruction tests as required in Section 1210.523 of this title, or an alternative assessment if eligible. Remediation and intervention may be provided by means which may include, but are not limited to, tutoring, additional help during the school day, extended-day programs, Saturday programs, summer programs, online coursework, or other supplementary services which are provided on an individual basis or in a classroom setting.

D. State Aid funding for students enrolling in a school district pursuant to subsection G of Section 1210.523 or subsection Q of Section 11-103.6 of this title shall be calculated based upon the percentage of the total school day in which the student is enrolled multiplied by the appropriate grade level weight pursuant to Section 18-201.1 of this title. Only enrollment in courses or periods necessary to meet the graduation requirements of Section 1210.523 or subsection Q of Section 11-103.6 of this title and not
elective courses or periods shall be included in the calculation of State Aid funding.

E. School districts shall report on their use of funds for remediation and intervention as provided for in this section to the State Board of Education in a manner prescribed by the Board.

F. The State Board of Education shall promulgate rules to implement the provisions of this section.

SECTION 3. This act shall become effective July 1, 2016.

SECTION 4. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.
Passed the Senate the 3rd day of March, 2016.

[Signature]
Presiding Officer of the Senate

Passed the House of Representatives the 7th day of April, 2016.

[Signature]
Presiding Officer of the House of Representatives

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this 13th day of April, 2016, at 2:00 o'clock P.M.

By: [Signature]

Approved by the Governor of the State of Oklahoma this 19th day of April, 2016, at 3:19 o'clock P.M.

[Signature]
Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this 19th day of April, 2016, at 4:05 o'clock P.M.

By: [Signature]

ENR. S. B. NO. 1105
An Act

ENROLLED SENATE
BILL NO. 1128

By: Anderson and Pittman of the
Senate

and

Thomsen and Walker of the
House

An Act relating to pensions; creating the Pension
Improvement Act; creating the Oklahoma Pension
Improvement Revolving Fund; providing for use of
funds; requiring legislative appropriations;
specifying authorized uses of fund; providing for
noncodification; and providing for codification.

SUBJECT: Pension Improvement Act

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. NEW LAW A new section of law not to be
codified in the Oklahoma Statutes reads as follows:

This act shall be known and may be cited as the "Pension
Improvement Act".

SECTION 2. NEW LAW A new section of law to be codified
in the Oklahoma Statutes as Section 254 of Title 62, unless there is
created a duplication in numbering, reads as follows:

There is hereby created in the State Treasury a revolving fund
for the retirement systems of the State of Oklahoma to be designated
the "Oklahoma Pension Improvement Revolving Fund". The fund shall
be a continuing fund, not subject to fiscal year limitations, and
shall consist of all monies received and placed in the fund for the
benefit of retired members and beneficiaries of the retirement
systems of the State of Oklahoma from such sources as may be designated by law. Expenditures from the fund shall be made only pursuant to legislative appropriation from the Oklahoma Pension Improvement Revolving Fund to pay for the cost of any legislatively authorized cost-of-living adjustment for the retirees or beneficiaries of the retirement systems of the State of Oklahoma or to reduce the unfunded liabilities of any of the state retirement systems.
Passed the Senate the 1st day of March, 2016.

Eddie Fields  
Presiding Officer of the Senate

Passed the House of Representatives the 18th day of April, 2016.

Seif B./down/  
Presiding Officer of the House  
of Representatives

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this 21st day of April, 2016, at 11:45 o'clock A M.

By: Andrej Roelewul

Approved by the Governor of the State of Oklahoma this 26th day of April, 2016, at 2:33 o'clock P M.

Mary Fallin  
Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this 26th day of April, 2016, at 3:24 o'clock P M.

By: Chris Benge
January 18, 2016

Senator Patrick Anderson
Room 233

Re: RBS No. 2846

RBS No. 2846 creates a revolving fund consisting of all monies received and placed in the fund for the benefit of retired members and beneficiaries of the retirement systems of the State of Oklahoma.

RBS No. 2846 is a non fiscal retirement bill as defined by the Oklahoma Pension Legislation Analysis Act because the bill does not contain a benefit increase nor create liability for the Oklahoma Teachers Retirement System. I am a member of the American Academy of Actuaries and meet the Qualification Standards of the American Academy of Actuaries to render the actuarial opinion herein.

Thomas E. Cummins

Thomas E. Cummins, MAAA
An Act

ENROLLED SENATE
BILL NO. 1159

By: Dahm of the Senate

and

Jordan, Ritze and Walker of the House

An Act relating to weapons; amending 21 O.S. 2011, Section 1272, as last amended by Section 1, Chapter 197, O.S.L. 2015 (21 O.S. Supp. 2015, Section 1272), which relates to unlawful carry; modifying inclusions; and providing an effective date.

SUBJECT: Modifying list of weapons that are unlawful to carry

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 21 O.S. 2011, Section 1272, as last amended by Section 1, Chapter 197, O.S.L. 2015 (21 O.S. Supp. 2015, Section 1272), is amended to read as follows:

Section 1272.

UNLAWFUL CARRY

A. It shall be unlawful for any person to carry upon or about his or her person, or in a purse or other container belonging to the person, any pistol, revolver, shotgun or rifle whether loaded or unloaded or any dagger, bowie knife, dirk knife, sword cane, blackjack, loaded cane, billy, hand chain, metal knuckles, or any other offensive weapon, whether such weapon be concealed or unconcealed, except this section shall not prohibit:
1. The proper use of guns and knives for hunting, fishing, educational or recreational purposes;

2. The carrying or use of weapons in a manner otherwise permitted by statute or authorized by the Oklahoma Self-Defense Act;

3. The carrying, possession and use of any weapon by a peace officer or other person authorized by law to carry a weapon in the performance of official duties and in compliance with the rules of the employing agency;

4. The carrying or use of weapons in a courthouse by a district judge, associate district judge or special district judge within this state, who is in possession of a valid handgun license issued pursuant to the provisions of the Oklahoma Self-Defense Act and whose name appears on a list maintained by the Administrative Director of the Courts; or

5. The carrying and use of firearms and other weapons provided in this subsection when used for the purpose of living history reenactment. For purposes of this paragraph, "living history reenactment" means depiction of historical characters, scenes, historical life or events for entertainment, education, or historical documentation through the wearing or use of period, historical, antique or vintage clothing, accessories, firearms, weapons, and other implements of the historical period.

B. Any person convicted of violating the foregoing provision shall be guilty of a misdemeanor punishable as provided in Section 1276 of this title.

SECTION 2. This act shall become effective November 1, 2016.
Passed the Senate the 1st day of March, 2016.

[Signature]
Presiding Officer of the Senate

Passed the House of Representatives the 19th day of April, 2016.

[Signature]
Presiding Officer of the House of Representatives

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this 20th day of April, 2016, at 4:45 o'clock P.M.

By: [Signature]

Approved by the Governor of the State of Oklahoma this 26th day of April, 2016, at 2:41 o'clock P.M.

[Signature]
Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this 26th day of April, 2016, at 3:24 o'clock P.M.

By: [Signature]
An Act

ENROLLED SENATE
BILL NO. 1164

By: Griffin and Pittman of the Senate
and
Kirby of the House

An Act relating to sports-related injuries; amending 70 O.S. 2011, Section 24-155, which relates to concussions; providing definitions; directing State Department of Health to create certain section on its internet website; specifying contents; directing development of certain policies by certain entities for certain purposes; requiring annual distribution of certain information; requiring certain annual training; requiring removal of athletes under certain circumstances; prohibiting continuance of certain activities under certain circumstances; providing protection from liability for certain actions; directing establishment of penalties by governing boards; providing certain construction; directing promulgation of rules; and providing an effective date.

SUBJECT: Sports-related injuries

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 70 O.S. 2011, Section 24-155, is amended to read as follows:

Section 24-155. A. As defined in this act:
1. "Athlete" means a secondary-school-age individual who is participating in a sport which is individual- and/or team-based, outside of school or within school and either competitive or in an organized practice; and

2. "Health care provider" means an individual who is registered, certified, licensed or otherwise recognized by the state to provide medical or psychological treatment and who is trained and experienced in the evaluation, management and care of concussions.

B. The State Department of Health shall create a concussion management section on its website to provide the guidelines necessary for each school district board of education and youth sports organization to develop their own policies and procedures pertaining to, but not limited to:

1. A concussion and head injury information sheet for game officials, team officials, athletes, parents or guardians and other persons having care or charge of athletes of the signs and symptoms of concussion or head injury and the risk of continuing to practice or compete in an athletic event or activity after sustaining a concussion or head injury;

2. "Return to Learn" guidelines for teachers and relevant school personnel pertaining to athletes who are returning to the classroom after sustaining a concussion or head injury;

3. "Graduated Stepwise Return to Athletic Participation" guidelines for team officials pertaining to athletes returning to practice or competition after a concussion or head injury; and

4. Links to one or more free online concussion training programs as provided by the Centers for Disease Control and Prevention (CDC), the National Federation of State High School Associations (NFHS) or a comparable program or resource.

The Department shall periodically review the guidelines and update it accordingly.

C. Each school district board of education and youth sports organization or association shall work in cooperation with the Oklahoma Secondary School Activities Association to develop the
guidelines and other pertinent information and forms policies and procedures pursuant to subsection B of this section to inform and educate their respective coaches, youth game officials, team officials, athletes, and their parents or guardians of the nature and risk of concussion and head injury, including continuing to play after concussion or head injury. On an annual basis, a concussion and head injury information sheet shall be completed and returned to the school district by the youth athlete and the athlete's parent or guardian prior to the youth athlete's participation in practice or competition. Information regarding concussion and head injuries shall be disseminated to the athlete and his or her parent or guardian. Acknowledgment and understanding of the information shall be completed by the athlete and the athlete's parent or guardian and maintained by the school or the youth sports organization or association prior to the athlete's participation in practice or competition.

1. On an annual basis, game officials and team officials shall undergo concussion training provided by the CDC, the NFHS or a comparable program or resource. A record of completion of the training course shall be readily available upon request.

2. If any game official or team official responsible for the care and safety of an athlete in an athletic event becomes aware or suspects an athlete is exhibiting signs, symptoms or behaviors consistent with having sustained a concussion or head injury, he or she shall remove the athlete from the practice or competition.

3. If an athlete is removed from practice or competition as provided in paragraph 2 of this subsection, the athlete shall not, on the same day the athlete is removed, be permitted to return to that practice or competition or to participate in any other practice or competition, unless deemed eligible pursuant to the provisions of paragraph 4 of this subsection.

B. A youth athlete who is suspected of sustaining a concussion or head injury during a practice or game shall be removed from participation at that time.

C. A youth 4. An athlete who has been removed from participation as provided in paragraph 2 of this subsection B of this section may not participate until the athlete is evaluated by a
licensed health care provider trained in the evaluation and management of concussion and receives written clearance to return to participation from that health care provider. The health care provider may be a volunteer. A health care provider, game official or team official, whether volunteer who authorizes a youth athlete to return to participation or employee, shall not be liable for civil damages resulting for injury, death or loss to person or property allegedly arising from any act or omission in the rendering of such care, other than providing services or performing duties unless the acts or omissions constituting gross negligence or willful or wanton misconduct.

D. Respective governing boards shall establish the following minimum penalties for a violation of paragraph 2 of subsection C of this section for those individuals set forth in paragraph 1 of subsection C of this section:

1. First violation shall be additional concussion recognition and management education as predetermined by the governing board;

2. Second violation shall be suspension from the sport until appearance before the governing board; and

3. Monetary fines shall not be considered as a penalty.

E. The Department shall promulgate rules necessary to implement the provisions of this act.

SECTION 2. This act shall become effective November 1, 2016.
Passed the Senate the 23rd day of May, 2016.

Presiding Officer of the Senate

Passed the House of Representatives the 24th day of May, 2016.

Presiding Officer of the House of Representatives

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this ____________
day of __________________, 20______, at _____ o'clock _____ M.

By: _________________________________

Approved by the Governor of the State of Oklahoma this ______
day of __________________, 20______, at _____ o'clock _____ M.

_________________________________
Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this ______
day of __________________, 20______, at _____ o'clock _____ M.

By: _________________________________
An Act

ENROLLED SENATE
BILL NO. 1269

By: Yen of the Senate

and

Martin of the House

An Act relating to education; directing the State Board of Education in certain collaboration to develop certain college and career endorsements; specifying curriculum requirements for endorsements; allowing certain courses taken at a technology center school to qualify for endorsement; requiring development of recognition of endorsements; providing for codification; and providing an effective date.

SUBJECT: College and career endorsements

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 11-103.6k of Title 70, unless there is created a duplication in numbering, reads as follows:

A. The State Board of Education, in collaboration with the State Board of Career and Technology Education and the Oklahoma State Regents for Higher Education, shall develop college and career endorsements that will provide distinction and direct student coursework toward clear career pathways.

B. A student may earn a college and career endorsement by satisfying the curriculum requirements in any of the following categories:
1. Science, technology, engineering and mathematics (STEM), which may include but shall not be limited to courses directly related to science, including environmental science, technology, including computer science, engineering and advanced mathematics;

2. Business and industry, which may include but shall not be limited to courses directly related to database management, information technology, communications, accounting, finance, marketing, graphic design, architecture, construction, welding, logistics, automotive technology, agricultural science and heating, ventilation and air conditioning;

3. Public services, which may include but shall not be limited to courses directly related to health sciences and occupations, education and training, law enforcement and culinary arts and hospitality;

4. Arts and humanities, which may include but shall not be limited to courses directly related to political science, world languages, cultural studies, English literature, history and fine arts;

5. Multidisciplinary studies, which allow a student to select courses from the curriculum of each college and career endorsement area specified under this subsection and earn credits in a variety of advanced courses from multiple content areas; and

6. Any other area of study as determined by the State Board of Education.

C. The State Board of Education, in collaboration with the State Board of Career and Technology Education, the Oklahoma State Regents for Higher Education and representatives of business, labor and industry, shall specify the curriculum requirements for each college and career endorsement specified in subsection B of this section.

D. For purposes of this section, applicable courses taken at a technology center school may, at the discretion of the State Board of Education, qualify for any of the courses required for a college and career endorsement.
E. The State Board of Education shall develop and implement a mechanism by which to recognize college and career endorsements.

SECTION 2. This act shall become effective November 1, 2016.
Passed the Senate the 28th day of April, 2016.

[Signature]
Presiding Officer of the Senate

Passed the House of Representatives the 12th day of April, 2016.

[Signature]
Presiding Officer of the House of Representatives

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this 2nd day of May 2016, at 2:40 o'clock P.M.

By: [Signature]
Audrey Rockwell

Approved by the Governor of the State of Oklahoma this 5th day of May 2016, at 3:30 o'clock P.M.

[Signature]
Mary Fallin
Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this 5th day of May 2016, at 3:30 o'clock P.M.

By: [Signature]
Cheri Brice
An Act relating to the Oklahoma Commission on Children and Youth; amending 10 O.S. 2011, Section 600, which relates to definitions; including definitions; amending 10 O.S. 2011, Section 601.9, as amended by Section 1, Chapter 90, O.S.L. 2015 (10 O.S. Supp. 2015, Section 601.9), which relates to services for children and youth; broadening scope of certain report to include certain persons; and providing an effective date.

SUBJECT: Oklahoma Commission on Children and Youth

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 10 O.S. 2011, Section 600, is amended to read as follows:

Section 600. As used in Sections 601.1 through 601.12 of this title:

1. "Children and youth service system" means health, mental health, social, rehabilitative assistance and educational services provided to children and youth by and through the courts and public and private agencies;

2. "Client" means a child or a family member of a child who is receiving services through the children and youth service system;
3. "Commission" means the Oklahoma Commission on Children and Youth;

4. "Community partnership board" means the local district planning and coordinating body for services to children and youth established pursuant to Section 601.11 of this title;

5. "Community partnership district" means the local planning and coordinating areas within the state established pursuant to Section 601.11 of this title;

6. "Homeless children and youth" means a person twenty-one (21) years of age or younger who is:
   a. unaccompanied by a parent or guardian, and
   b. without shelter where appropriate care and supervision are available, or
   c. without a parent or guardian who is willing and able to provide shelter and care, or
   d. without a fixed, regular, or adequate nighttime residence. For the purposes of this paragraph, "fixed, regular, or adequate nighttime residence" shall not include a supervised publicly or privately operated shelter or institution designed to provide temporary living accommodations, transitional housing arrangements, living in hotels, temporary living arrangements with other people but without an opportunity for permanent residence or a residential lease, or a public or private place not designed for, nor ordinarily used as, a regular sleeping accommodation for human beings;

7. "Runaway" means an unmarried child less than eighteen (18) years of age who is absent from the home of a parent, guardian or other lawful placement without the consent of the parent, guardian or lawful custodian;
6-8. "State and state-supported services to children and youth" means services to children and youth, offered or provided by a public or private agency or organization, that are supported in whole or in part through state funds or federal funds administered by the state; and

7-9. "State Plan for Services to Children and Youth" means the planning document required by Section 601.9 of this title; and

10. "Youth at risk of homelessness" means a person twenty-one (21) years of age or younger whose status or circumstances indicate a significant danger of experiencing homelessness in the near future, including but not limited to youth exiting out-of-home placements, youth who previously were homeless, youth whose parents or guardians are or were previously homeless, youth who are exposed to abuse and neglect in their homes, youth who experience excessive conflict with their parents and runaways.

SECTION 2. AMENDATORY 10 O.S. 2011, Section 601.9, as amended by Section 1, Chapter 90, O.S.L. 2015 (10 O.S. Supp. 2015, Section 601.9), is amended to read as follows:

Section 601.9. A. The Office of Planning and Coordination shall:

1. Make recommendations to the Oklahoma Commission on Children and Youth regarding the development and improvement of services provided to children and youth based upon community partnership input no later than May 1 of each year; and

2. Forward a report of its recommendations to each agency affected by the recommendations.

B. The Oklahoma Commission on Children and Youth shall evaluate and review the development and quality of services to children and youth and shall:

1. Publish and distribute an annual report of its findings on or before July 1 of each year to the Governor, the Speaker of the House of Representatives, the President Pro Tempore of the Senate, the Chief Justice of the Supreme Court of the State of Oklahoma, and to the chief administrative officer of each agency affected by the
report. Such report shall include activities of the Commission, recommendations for the further development and improvement of services to children and youth, services for homeless children and youth including youth at risk of homelessness and runaways, and budget and program needs; and

2. Include in its annual report the State Plan for Services to Children and Youth for the next succeeding fiscal year. The State Plan for Services to Children and Youth shall:

a. identify and establish outcomes, goals and priorities for services for children and youth, including homeless children and youth, and the estimated costs of implementing such goals and priorities,

b. show previous and current expenditures for state and state-supported services to children and youth, including homeless children and youth, which relate to the outcomes identified in the State Plan,

c. include information concerning the availability and accessibility of various human services, health, mental health and education programs that serve children and their families at the community level, and, when applicable, establish a plan for developing programs in areas of the state where the need for such services exists,

d. include such other information or recommendations as may be necessary and appropriate for the improvement and coordinated development of the children, youth, and family service system, and

e. be distributed as provided by paragraph 1 of this section and shall be made available to the general public.

SECTION 3. This act shall become effective November 1, 2016.
Passed the Senate the 25th day of April, 2016.

[Signature]
Presiding Officer of the Senate

Passed the House of Representatives the 4th day of April, 2016.

[Signature]
Presiding Officer of the House of Representatives

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this 26th day of April, 2016, at 10:44 o'clock A.M.

By: [Signature]

Approved by the Governor of the State of Oklahoma this 28th day of April, 2016, at 9:19 o'clock A.M.

[Signature]
Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this 28th day of April, 2016, at 10:31 o'clock A.M.

By: [Signature]
An Act relating to subject matter standards; amending 70 O.S. 2011, Section 11-103.6, as last amended by Section 1 of Enrolled Senate Bill No. 1105 of the 2nd Session of the 55th Oklahoma Legislature, which relates to requirements for graduation; modifying description of laboratory science units or sets of competencies; expanding courses eligible to fulfill certain requirement; reducing the number of required art units or sets of competencies; adding computer education unit or set of competencies to requirements; and providing an effective date.

SUBJECT: Subject matter standards

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 70 O.S. 2011, Section 11-103.6, as last amended by Section 1 of Enrolled Senate Bill No. 1105 of the 2nd Session of the 55th Oklahoma Legislature, is amended to read as follows:

Section 11-103.6. A. 1. The State Board of Education shall adopt subject matter standards for instruction of students in the public schools of this state that are necessary to ensure there is attainment of desired levels of competencies in a variety of areas
to include language, mathematics, science, social studies and communication.

2. School districts shall develop and implement curriculum, courses and instruction in order to ensure that students meet the skills and competencies as set forth in this section and in the subject matter standards adopted by the State Board of Education.

3. All students shall gain literacy at the elementary and secondary levels. Students shall develop skills in reading, writing, speaking, computing and critical thinking. For purposes of this section, critical thinking means a manner of analytical thinking which is logical and uses linear factual analysis to reach a conclusion. They also shall learn about cultures and environments - their own and those of others with whom they share the earth. Students, therefore, shall study social studies, literature, languages, the arts, mathematics and science. Such curricula shall provide for the teaching of a hands-on career exploration program in cooperation with technology center schools.

4. The subject matter standards shall be designed to teach the competencies for which students shall be tested as provided in Section 1210.508 of this title, and shall be designed to prepare all students for active citizenship, employment and/or successful completion of postsecondary education without the need for remedial coursework at the postsecondary level.

5. The subject matter standards shall be designed with rigor as defined in paragraph 3 of subsection F of this section.

6. The subject matter standards for English Language Arts shall give Classic Literature and nonfiction literature equal consideration to other literature. In addition, emphasis shall be given to the study of complete works of literature.

7. At a minimum, the subject matter standards for mathematics shall require mastery of the standard algorithms in mathematics, which is the most logical, efficient way of solving a problem that consistently works, and for students to attain fluency in Euclidian geometry.
B. Subject to the provisions of subsection C of this section, in order to graduate from a public high school accredited by the State Board of Education with a standard diploma, students shall complete the following college preparatory/work ready curriculum units or sets of competencies at the secondary level:

1. Four units or sets of competencies of English to include Grammar, Composition, Literature, or any English course approved for college admission requirements;

2. Three units or sets of competencies of mathematics, limited to Algebra I, Algebra II, Geometry, Trigonometry, Math Analysis, Calculus, Advanced Placement Statistics, or any mathematics course with content and/or rigor above Algebra I and approved for college admission requirements;

3. Three units or sets of competencies of laboratory science, limited to Biology, Chemistry, Physics, or any laboratory science course with content and/or rigor equal to or above Biology and approved for college admission requirements, including one unit or set of competencies of life science, meeting the standards for Biology I; one unit or set of competencies of physical science, meeting the standards for Physical Science, Chemistry or Physics; and one unit or set of competencies from the domains of physical science, life science or earth and space science such that the content and rigor is above Biology I or Physical Science;

4. Three units or sets of competencies of history and citizenship skills, including one unit of American History, 1/2 unit of Oklahoma History, 1/2 unit of United States Government and one unit from the subjects of History, Government, Geography, Economics, Civics, or non-Western culture and approved for college admission requirements;

5. Two units or sets of competencies of the same foreign or non-English language or two units of computer technology approved for college admission requirements, whether taught at a high school or a technology center school, including computer programming, hardware, and business computer applications, such as word processing, databases, spreadsheets, and graphics, excluding keyboarding or typing courses;
6. One additional unit or set of competencies selected from paragraphs 1 through 5 of this subsection or career and technology education courses approved for college admission requirements, concurrently enrolled courses, Advanced Placement courses or International Baccalaureate courses approved for college admission requirements; and

7. One unit or set of competencies of fine arts, such as music, art, or drama, or one unit or set of competencies of speech.

C. In lieu of the requirements of subsection B of this section which requires a college preparatory/work ready curriculum, a student may enroll in the core curriculum as provided in subsection D of this section upon written approval of the parent or legal guardian of the student. School districts may require a parent or legal guardian of the student to meet with a designee of the school prior to enrollment in the core curriculum. The State Department of Education shall develop and distribute to school districts a form suitable for this purpose, which shall include information on the benefits to students of completing the college preparatory/work ready curriculum as provided for in subsection B of this section.

D. For those students subject to the requirements of subsection C of this section, in order to graduate from a public high school accredited by the State Board of Education with a standard diploma, students shall complete the following core curriculum units or sets of competencies at the secondary level:

1. Language Arts – 4 units or sets of competencies, to consist of 1 unit or set of competencies of grammar and composition, and 3 units or sets of competencies which may include, but are not limited to, the following courses:
   a. American Literature,
   b. English Literature,
   c. World Literature,
   d. Advanced English Courses, or
e. other English courses with content and/or rigor equal to or above grammar and composition;

2. Mathematics – 3 units or sets of competencies, to consist of 1 unit or set of competencies of Algebra I or Algebra I taught in a contextual methodology, and 2 units or sets of competencies which may include, but are not limited to, the following courses:

a. Algebra II,
b. Geometry or Geometry taught in a contextual methodology,
c. Trigonometry,
d. Math Analysis or Precalculus,
e. Calculus,
f. Statistics and/or Probability,
g. Computer Science,
h. (1) contextual mathematics courses which enhance technology preparation, or

(2) a science, technology, engineering and math (STEM) block course meeting the requirements for course competencies listed in paragraph 2 of subsection B of this section, whether taught at a:

(a) comprehensive high school, or

(b) technology center school when taken in the tenth, eleventh or twelfth grade, taught by a certified teacher, and approved by the State Board of Education and the independent district board of education,

i. mathematics courses taught at a technology center school by a teacher certified in the secondary subject
area when taken in the tenth, eleventh or twelfth grade upon approval of the State Board of Education and the independent district board of education, or

j. equal to or above Algebra I;

3. Science – 3 units or sets of competencies, to consist of 1 unit or set of competencies of Biology I or Biology I taught in a contextual methodology, and 2 units or sets of competencies in the areas of life, physical, or earth science or technology which may include, but are not limited to, the following courses:

a. Chemistry I,
b. Physics,
c. Biology II,
d. Chemistry II,
e. Physical Science,
f. Earth Science,
g. Botany,
h. Zoology,
i. Physiology,
j. Astronomy,
k. Applied Biology/Chemistry,
l. Applied Physics,
m. Principles of Technology,
n. qualified agricultural education courses,
o. (1) contextual science courses which enhance technology preparation, or
(2) a science, technology, engineering and math (STEM) block course meeting the requirements for course competencies listed in paragraph 3 of subsection B of this section, whether taught at:

(a) comprehensive high school, or

(b) technology center school when taken in the tenth, eleventh or twelfth grade, taught by a certified teacher, and approved by the State Board of Education and the independent district board of education,

p. science courses taught at a technology center school by a teacher certified in the secondary subject area when taken in the tenth, eleventh or twelfth grade upon approval of the State Board of Education and the independent district board of education, or

q. other science courses with content and/or rigor equal to or above Biology I;

4. Social Studies – 3 units or sets of competencies, to consist of 1 unit or set of competencies of United States History, 1/2 to 1 unit or set of competencies of United States Government, 1/2 unit or set of competencies of Oklahoma History, and 1/2 to 1 unit or set of competencies which may include, but are not limited to, the following courses:

a. World History,

b. Geography,

c. Economics,

d. Anthropology, or

e. other social studies courses with content and/or rigor equal to or above United States History, United States Government, and Oklahoma History; and
5. Arts - 2 units or set of competencies which may include, but are not limited to, courses in Visual Arts and General Music; and

6. Computer Education - 1 unit or set of competencies of computer technology, whether taught at a high school or a technology center school, including computer programming, hardware and business computer applications, such as word processing, databases, spreadsheets and graphics, excluding keyboarding or typing courses.

E. 1. In addition to the curriculum requirements of either subsection B or D of this section, in order to graduate from a public high school accredited by the State Board of Education students shall complete the requirements for a personal financial literacy passport as set forth in the Passport to Financial Literacy Act and any additional course requirements or recommended elective courses as may be established by the State Board of Education and the district school board. School districts shall strongly encourage students to complete two units or sets of competencies of foreign languages and two units or sets of competencies of physical and health education.

2. No student shall receive credit for high school graduation more than once for completion of the same unit or set of competencies to satisfy the curriculum requirements of this section.

3. A school district shall not be required to offer every course listed in subsections B and D of this section, but shall offer sufficient courses to allow a student to meet the graduation requirements during the secondary grade years of the student.

F. For purposes of this section:

1. "Contextual methodology" means academic content and skills taught by utilizing real-world problems and projects in a way that helps students understand the application of that knowledge;

2. "Qualified agricultural education courses" means courses that have been determined by the State Board of Education to offer the sets of competencies for one or more science content areas and which correspond to academic science courses. Qualified
agricultural education courses shall include, but are not limited to, Horticulture, Plant and Soil Science, Natural Resources and Environmental Science, and Animal Science. The courses shall be taught by teachers certified in agricultural education and comply with all rules of the Oklahoma Department of Career and Technology Education;

3. "Rigor" means a level of difficulty that is thorough, exhaustive and accurate and is appropriate for the grade level;

4. "Sets of competencies" means instruction in those skills and competencies that are specified in the subject matter standards adopted by the State Board of Education and other skills and competencies adopted by the Board, without regard to specified instructional time; and

5. "Unit" means a Carnegie Unit as defined by the North Central Association's Commission on Schools.

G. 1. The State Board of Education shall adopt a plan to ensure that rigor is maintained in the content, teaching methodology, level of expectations for student achievement, and application of learning in all the courses taught to meet the graduation requirements as specified in this section.

2. The State Board of Education shall allow as much flexibility at the district level as is possible without diminishing the rigor or undermining the intent of providing these courses. To accomplish this purpose, the State Department of Education shall work with school districts in reviewing and approving courses taught by districts that are not specifically listed in subsections B and D of this section. Options may include, but shall not be limited to, courses taken by concurrent enrollment, advanced placement, or correspondence, or courses bearing different titles.

3. The State Board of Education shall approve an advanced placement computer science course to meet the requirements of course competencies listed in paragraph 2 of subsection B of this section if the course is taken in a student's senior year and the student is concurrently enrolled in or has successfully completed Algebra II.
4. Technology center school districts may offer programs designed in cooperation with institutions of higher education which have an emphasis on a focused field of career study upon approval of the State Board of Education and the independent district board of education. Students in the tenth grade may be allowed to attend these programs for up to one-half (1/2) of a school day and credit for the units or sets of competencies required in paragraphs 2 and, 3 and 6 of subsection B or D of this section shall be given if the courses are taught by a teacher certified in the secondary subject area; provided, credit for units or sets of competencies pursuant to subsection B of this section shall be approved for college admission requirements.

5. If a student enrolls in a concurrent course, the school district shall not be responsible for any costs incurred for that course, unless the school district does not offer enough course selection during the student's secondary grade years to allow the student to receive the courses needed to meet the graduation requirements of this section. If the school district does not offer the necessary course selection during the student's secondary grade years, it shall be responsible for the cost of resident tuition at an institution in The Oklahoma State System of Higher Education, fees, and books for the concurrent enrollment course, and providing for transportation to and from the institution to the school site.

It is the intent of the Legislature that for students enrolled in a concurrent enrollment course which is paid for by the school district pursuant to this paragraph, the institution charge only the supplementary and special service fees that are directly related to the concurrent enrollment course and enrollment procedures for that student. It is further the intent of the Legislature that fees for student activities and student service facilities, including the student health care and cultural and recreational service fees, not be charged to such students.

6. Credit for the units or sets of competencies required in subsection B or D of this section shall be given when such units or sets of competencies are taken prior to ninth grade if the teachers are certified or authorized to teach the subjects for high school credit and the required rigor is maintained.
7. The three units or sets of competencies in mathematics required in subsection B or D of this section shall be completed in the ninth through twelfth grades. If a student completes any required courses or sets of competencies in mathematics prior to ninth grade, the student may take any other mathematics courses or sets of competencies to fulfill the requirement to complete three units or sets of competencies in grades nine through twelve after the student has satisfied the requirements of subsection B or D of this section.

8. All units or sets of competencies required for graduation may be taken in any sequence recommended by the school district.

H. As a condition of receiving accreditation from the State Board of Education, all students in grades nine through twelve shall enroll in a minimum of six periods, or the equivalent in block scheduling or other scheduling structure that allows for instruction in sets of competencies, of rigorous academic and/or rigorous vocational courses each day, which may include arts, vocal and instrumental music, speech classes, and physical education classes.

I. 1. Academic and vocational-technical courses designed to offer sets of competencies integrated or embedded within the course that provide for the teaching and learning of the appropriate skills and knowledge in the subject matter standards, as adopted by the State Board of Education, may upon approval of the Board, in consultation with the Oklahoma Department of Career and Technology Education if the courses are offered at a technology center school district, be counted for academic credit and toward meeting the graduation requirements of this section.

2. Internet-based courses offered by a technology center school that are taught by a certified teacher and provide for the teaching and learning of the appropriate skills and knowledge in the subject matter standards may, upon approval of the State Board of Education and the independent district board of education, be counted for academic credit and toward meeting the graduation requirements of this section.

3. Internet-based courses or vocational-technical courses utilizing integrated or embedded skills for which no subject matter standards have been adopted by the State Board of Education may be
approved by the Board, in consultation with the Oklahoma Department of Career and Technology Education if the courses are offered at a technology center school district, if such courses incorporate standards of nationally recognized professional organizations and are taught by certified teachers.

4. Courses offered by a supplemental education organization that is accredited by a national accrediting body and that are taught by a certified teacher and provide for the teaching and learning of the appropriate skills and knowledge in the subject matter standards may, upon approval of the State Board of Education and the school district board of education, be counted for academic credit and toward meeting the graduation requirements of this section.

J. The State Board of Education shall provide an option for high school graduation based upon attainment of the desired levels of competencies as required in tests pursuant to the provisions of Section 1210.508 of this title. Such option shall be in lieu of the amount of course credits earned.

K. The State Board of Education shall prescribe, adopt and approve a promotion system based on the attainment by students of specified levels of competencies in each area of the core curriculum.

L. Children who have individualized education programs pursuant to the Individuals with Disabilities Education Act (IDEA), and who satisfy the graduation requirements through the individualized education program for that student shall be awarded a standard diploma.

M. Students who enter the ninth grade in or prior to the 2007-08 school year who are enrolled in an alternative education program and meet the requirements of their plans leading to high school graduation developed pursuant to Section 1210.568 of this title shall be awarded a standard diploma.

N. Any student who completes the curriculum requirements of the International Baccalaureate Diploma Program shall be awarded a standard diploma.
O. Any student who successfully completes an advanced mathematics or science course offered pursuant to Section 1210.404 of this title shall be granted academic credit toward meeting the graduation requirements pursuant to paragraph 2 or 3, as appropriate, of subsection B or D of this section.

P. For purposes of this section, the courses approved for college admission requirements shall be courses which are approved by the Oklahoma State Regents for Higher Education for admission to an institution within The Oklahoma State System of Higher Education.

Q. Students who have been denied a standard diploma by the school district in which the student is or was enrolled for failing to meet the requirements of this section may re-enroll in the school district that denied the student a standard diploma following the denial of a standard diploma. The student shall be provided remediation or intervention and the opportunity to complete the curriculum units or sets of competencies required by this section to obtain a standard diploma. Students who re-enroll in the school district to meet the graduation requirements of this section shall be exempt from the hourly instructional requirements of Section 1-111 of this title and the six-period enrollment requirements of this section.

R. The State Department of Education shall collect and report data by school site and district on the number of students who enroll in the core curriculum as provided in subsection D of this section.

SECTION 2. This act shall become effective July 1, 2018.
Passed the Senate the 24th day of May, 2016.

Presiding Officer of the Senate

Passed the House of Representatives the 26th day of May, 2016.

Presiding Officer of the House of Representatives

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this __________
day of ________________, 20_____, at _____ o'clock _____ M.

By: ________________________________

Approved by the Governor of the State of Oklahoma this _______
day of ________________, 20_____, at _____ o'clock _____ M.

Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this _______
day of ________________, 20_____, at _____ o'clock _____ M.

By: ________________________________
An Act

ENROLLED SENATE
BILL NO. 1431

By: Smalley of the Senate
and
Casey of the House

An Act relating to schools; amending 70 O.S. 2011, Section 1210.544, as amended by Section 17, Chapter 83, O.S.L. 2013 (70 O.S. Supp. 2015, Section 1210.544), which relates to alternative governance of schools; modifying terms by which schools are to be identified; updating reference; allowing certain identified schools to implement certain models; removing language regarding certain intervention models; directing certain identified schools to seek certain support; removing language regarding certain alternative governance arrangements; providing guidelines for support to be provided by the State Department of Education; updating reference; allowing the State Board of Education to assume control of certain identified schools; providing an effective date; and declaring an emergency.

SUBJECT: School improvement

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 70 O.S. 2011, Section 1210.544, as amended by Section 17, Chapter 83, O.S.L. 2013 (70 O.S. Supp. 2015, Section 1210.544), is amended to read as follows:

Section 1210.544. A. 1. The Notwithstanding any other provision of law, the State Board of Education shall establish a process to identify schools in the state that are consistently listed as in need of improvement in accordance with subsection
(g)(6) of Section 1003 of Title I of the Elementary and Secondary Education Act of 1965 (ESEA), as amended 20 U.S.C., Section 6301 et seq. A school district board of education with a school identified as being among the schools in the state that are persistently in need of improvement shall implement one of the following four locally developed, evidence-based intervention models for the school site determined by the Board to be low performing:

a. turnaround model—replacing the principal and rehiring not more than fifty percent (50%) of the staff and granting to the principal sufficient operational flexibility to fully implement a comprehensive approach to substantially improve student outcomes;

b. restart model—converting or closing the school and reopening it as a charter school under an operator or an education management organization that has been selected through a rigorous review process. Except for the average daily membership and county population limitations specified in subsection A of Section 3-132 of this title, any charter school created pursuant to this subparagraph shall be subject to the provisions of the Oklahoma Charter Schools Act;

c. school closure—closing the school and enrolling the students who attended that school in other schools in the school district that are higher-achieving, or

d. transformation model—implementing each of the following strategies:

(1) replace the principal;

(2) develop and increase teacher and school leader effectiveness;

(3) institute comprehensive instructional reform;

(4) increase learning time and create community-oriented schools; and
(5) provide operational flexibility and sustained support.

2. If a school that has been identified as being among the schools in the state that are persistently in need of improvement has already implemented an alternative governance arrangement within the last two (2) years prior to the identification, the school may continue implementation of the alternative governance arrangement.

B. 1. Notwithstanding any other provision of state law, for Consistent with 20 U.S.C., Section 6301 et seq., for schools that are identified for school improvement by the State Board of Education for four (4) consecutive years, the district board of education shall implement one of the following alternative governance arrangements for the school in accordance with subparagraph (B) of subsection (b)(8) of Section 1116 of Title I of the Elementary and Secondary Education Act of 1965, as amended:

a. reopening the school as a public charter school. Except for the average daily membership and county population limitations specified in subsection A of Section 3-132 of this title, any charter school created pursuant to this subparagraph shall be subject to the provisions of the Oklahoma Charter Schools Act,

b. replacing all or most of the school staff assigned to the school, which may include the principal, who are relevant to the failure to make adequate yearly progress and by transferring the replaced staff to another school or by dismissing or not reemploying the replaced staff in accordance with the provisions of the Teacher Due Process Act of 1990 or in accordance with subsection C of this section, if applicable,

c. entering into a contract with an entity, such as a private management company, with a demonstrated record of effectiveness, to operate the public school,

d. turning the operation of the school over to the State Board of Education, or seek support from the State Department of Education.
any other major. Such support may include academic intervention, professional development, restructuring of the governance arrangement of the school that makes fundamental reforms, such as significant changes in the staffing and governance of the school, or any other plan that is reasonably calculated to improve student academic achievement in the school and that has substantial promise of enabling the school to make adequate yearly progress. If the chosen governance arrangement does not produce adequate yearly progress within two (2) years from the date of implementation of the restructured governance arrangement, the State Board of Education shall assume control of the school as provided for in paragraph 2 of this subsection. State support plans shall be designed to provide a substantial assurance of enabling the school to appropriately serve all students. If after two (2) years of implementing the state support plan, improvements to student achievement remain insufficient and, in accordance with 20 U.S.C. Section 6301 et seq., the school continues to be identified by the Board as low performing, the Board may exercise the option of assuming control of the school as provided for in this subsection.

2. For any school that fails to comply with the provisions of paragraph 1 of this subsection by the end of the school year following its identification for school improvement for four (4) consecutive years, the State Board of Education shall assume control of the management and operations of the school, including control of the staff assigned to the school. The If the Board assumes control of a school, the Board shall retain all funds that otherwise would have been allocated to the school district based on the average daily membership of the school which shall be used to operate the school.

C. 1. A district board of education for a district with an average daily membership of more than 30,000 which implements an alternative governance arrangement as provided for in paragraph 2 of subsection A of this section may utilize the following procedures, upon approval of the district board and concurrence of the executive committee of the appropriate local bargaining unit:
a. any teacher not retained at the school site shall be given status as a full-time substitute teacher within the school district for a period of not to exceed two (2) years,

b. if the teacher is not offered a contract teaching position at a school in the district within the two-year period specified in subparagraph a of this paragraph, the district board shall be authorized to not reemploy the teacher, and

c. the district board shall designate trained, certified, instructional staff to provide teacher support, development and evaluation, which may include certified personnel other than administrators.

2. Any actions taken pursuant to this subsection shall not be subject to the Teacher Due Process Act of 1990. The decision by the district board for renewal or nonrenewal shall be final.

3. For purposes of this subsection, a full-time substitute teacher shall perform the duties assigned by the district superintendent and shall continue to receive the same salary, benefits and step increases that the teacher would otherwise be entitled to for the time period the teacher serves as a full-time substitute.

D. 1. Each school district subject to the provisions of subsection B of this section shall submit a plan for compliance with this section to the State Department of Education, in a manner prescribed by the Department.

2. Beginning December 31, 2010, and annually each year thereafter, the State Department of Education shall annually submit a report of the district plans received as provided in paragraph 1 of this subsection to the members of the Senate and House Education Committees.

SECTION 2. This act shall become effective July 1, 2016.
SECTION 3. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.
Passed the Senate the 8th day of March, 2016.

Presiding Officer of the Senate

Passed the House of Representatives the 14th day of April, 2016.

Presiding Officer of the House of Representatives

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this 18th day of April, 2016, at 3:24 o'clock P.M.

By: Audrey Foodwell

Approved by the Governor of the State of Oklahoma this 21st day of April, 2016, at 9:52 o'clock A.M.

Mary Fallin
Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this 21st day of April, 2016, at 11:13 o'clock A.M.

By: [signature]
A Joint Resolution directing the Secretary of State to refer to the people for their approval or rejection the repeal of Section 5 of Article II of the Oklahoma Constitution; providing ballot title; and directing filing.

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

BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE 2ND SESSION OF THE 55TH OKLAHOMA LEGISLATURE:

SECTION 1. The Secretary of State shall refer to the people for their approval or rejection, as and in the manner provided by law, the repeal of Section 5 of Article II of the Oklahoma Constitution which relates to use of public monies or property for sectarian or religious purposes.

SECTION 2. The Ballot Title for the proposed Constitutional amendment as set forth in SECTION 1 of this resolution shall be in the following form:

BALLOT TITLE

Legislative Referendum No. ____  State Question No. ____

THE GIST OF THE PROPOSITION IS AS FOLLOWS:
This measure repeals Section 5 of Article 2 of the Oklahoma Constitution. This section prohibits the use of public monies or property for sectarian or religious purposes.

SHALL THE PROPOSAL BE APPROVED?

FOR THE PROPOSAL – YES

AGAINST THE PROPOSAL – NO

SECTION 3. The President Pro Tempore of the Senate shall, immediately after the passage of this resolution, prepare and file one copy thereof, including the Ballot Title set forth in SECTION 2 hereof, with the Secretary of State and one copy with the Attorney General.

Passed the Senate the 7th day of March, 2016.

Presiding Officer of the Senate

Passed the House of Representatives the 21st day of April, 2016.

Presiding Officer of the House of Representatives

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this ________
day of ________________, 20 _____, at _____ o'clock _____ M.

By: _________________________________
210:10-13-2. Oklahoma School Testing Program (OSTP) scope and general administration

(a) Definitions. In this Section, the words and terms shall have the following meaning:

"Proficient/Satisfactory" means achieving at least the minimum score for demonstrating mastery as defined by the State Board of Education on an academic achievement test of the Oklahoma School Testing Program (OSTP).

(b) All public school districts shall administer the state mandated academic achievement tests of the OSTP to all students enrolled in the designated grades. The series of tests shall be field-tested/implemented by the amended schedule in 70 O.S. § 1210.508, or federal law.

(1) Students with Individualized Education Programs (IEPs) shall have an appropriate statement on the IEP with regard to the type of assessment in which the student will participate (e.g., Oklahoma Core Curriculum Test (OCCT) with or without accommodations, or the Oklahoma Alternate Assessment Program (OAAP) Portfolio). The OCCT and OAAP Portfolio are all a part of the Oklahoma School Testing Program (OSTP). Any state approved accommodations must be documented in the student's current IEP. Current documentation for each student shall be on file in the local school prior to test administration.

(2) All students who have been determined to be limited English proficient (LEP) as the term is defined at 20 U.S.C. § 7801, also known as English language learners (ELL), shall be included in all of the state-mandated academic achievement tests of the OSTP. ELL students are those who have been appropriately identified, through English proficiency screening by the local school districts, as requiring specialized instructional services designed to increase their English proficiency and academic performance. For every student identified as ELL, the local district shall have on file verification that the student is receiving special instruction designed for the specific purpose of improving the ELL student's English proficiency. Any State Department of Education approved and adopted English proficiency assessment shall be considered an official assessment of the OSTP, and will be subject to the same security, privacy, and administration measures accorded to all other OSTP assessments.

(A) Students identified as ELL shall be assessed in a valid and reliable manner with the state academic assessments with acceptable accommodations as necessary and, to the extent practicable, with alternate assessments aligned to the state assessment provided by the local school district in the language and form most likely to yield accurate data on what such students know and can do in these content areas; these alternate assessments will continue until such students have achieved English language proficiency with the exception noted in paragraph (2)(B) of this subsection.

(B) If ELL students are administered the state-mandated reading and language arts achievement tests in a language other than English, this will be allowed only during their first three consecutive years of school attendance in the United States (not including Puerto Rico). After these first three years these tests must be administered in English, except that if the local school district determines on a case-by-case basis, that a student has not yet reached a level of English language proficiency that will allow valid and reliable information to be obtained, even with testing accommodations, in which case individual waivers will be allowed by the local district for up to two additional consecutive years, according to federal law.
(3) All End-of-Instruction assessments must be taken once the corresponding course of instruction has been completed. In order to meet the Federal No Child Left Behind (NCLB) legislation requirements, all students prior to graduating from high school must take the Algebra I, Biology I, and English II assessments regardless of whether instruction has been taken, unless otherwise exempt.

(c) On an annual basis, school superintendents or their designees shall provide a copy of the State Board of Education Rules, OAC 210:10-13, for all school personnel responsible for receipt, inventory, distribution, or return of tests documents, and/or for administration of tests within the Oklahoma School Testing Program.

(d) Districts may request special reports beyond those provided by state contract with the testing company at their own cost (i.e., individual student records on CD or disk, District Title I Report, District Alpha Order Report, etc.).

(e) Test results of all students not enrolled in a district for a full academic year shall be disaggregated and shall not be used to determine the progress of the district, according to federal law. Test results of all students not enrolled in a school site for a full academic year shall be disaggregated and shall not be used to determine the progress of the school site, according to federal law. For purposes of the OSTP, a student shall be considered a "Full Academic Year" (FAY) student if the student is enrolled within the first twenty (20) instructional days of the school's instructional year through and including the date of administration of the exam, without an enrollment lapse of ten (10) or more consecutive instructional days.

(f) For purposes of the annual reports of the OSTP, test results of all students who have been placed in a state juvenile facility by state law or court order, or students placed in a full time residential facility providing educational services to students by joint agreement with one or more school districts shall not be used to determine the progress of the site or the district of residence of the students unless the facility has been specifically designated as a separate site within a school district and has been assigned a separate site code within the school district by the State Department of Education at the request of the school district. Instead their scores will be used in accountability calculations in one statewide "virtual" district.

(g) Each public school student who does not score at least at the satisfactory level on state criterion-referenced tests in reading and mathematics by the end of the student's seventh grade year shall be provided remediation for the purpose of assisting the student in performing at least at the satisfactory level on the eighth-grade criterion-referenced tests in reading and mathematics. Each public school student who does not score at least at the satisfactory level on state criterion-referenced tests in reading and mathematics by the end of the student's eighth grade year shall be provided remediation for the purpose of assisting the student in performing at least at the satisfactory level on the end-of-instruction tests administered in high school. Each public school student who does not attain at least a satisfactory or proficient score on the state end-of-instruction tests shall be provided remediation for the purpose of assisting the student in attaining at least a satisfactory or proficient score on the Algebra I, English II, and two of the remaining five end-of-instruction tests, in order to graduate from an Oklahoma accredited public high school.

(1) Districts and/or schools may provide remediation through extended instructional time during the school day, a summer academy, tutoring, online coursework, or other supplementary services. Remediation is not limited to these practices.
(2) Remediation provided shall be under the supervision of a highly qualified teacher in the appropriate content area.

(3) The State Department of Education shall provide information about best practices for remediation and interventions on the State Department of Education website.

(4) Each district shall submit an annual remediation plan to its local board of education at a regularly scheduled meeting prior to November 15 of each school year. The remediation plan shall be for those students who do not attain at least a satisfactory or proficient score on the tests listed in this section. The plan should include how remediation funds will be spent, when and where remediation will be provided, what content will be addressed, how instruction will be delivered, and who will provide the instruction, including the highly qualified status of the instructor.

(5) Funds for remediation shall be disbursed by the State Department of Education to the local school districts by September 1 of each year in accordance with the requirements of 70 O.S. § 1210.526. Funds for each fiscal year shall be based on the most recent OSTP test results available for each student from the previous school year or summer test administration.

(6) Funds for remediation shall be utilized to provide intervention and remediation for qualifying students as described in this section. Allowable expenditures include salaries and stipends for highly qualified teachers and tutors under the supervision of highly qualified teachers; instructional materials such as textbooks, workbooks, teacher-made materials, computer assisted instructional software, manipulatives, and classroom instructional tools necessary to provide remediation; assessments designed to monitor the progress of students in remediation programs; transportation to and from tutoring sessions held outside of the school day; and training in best practices for providing remediation. Funds for remediation may not be used for salaries, materials, or administrative services not directly related to remediation or for students who do not qualify for remediation as described in this section.

(7) School districts shall report the use of remediation funds and the results of the remediation, as measured by periodic progress assessments and district student performance on state assessments. Districts shall submit an online report annually to the State Department of Education through the Oklahoma School District Reporting Site (SDRS). The district shall also submit the annual report to its local board of education at a regularly scheduled meeting. Remediation results shall be presented by a designated public school principal for each site.
210:20-9-98. Administrative requirements of teacher certification

(a) **Evaluation of foreign credentials.** Foreign credentials must be either analyzed by a recognized translation service or an Oklahoma college before the State Department of Education will accept them.

(b) **Noncitizens of the United States.** Requirements for noncitizens seeking an Oklahoma teaching credential are as follows:

1. Noncitizens of the United States will be required to submit an unexpired United States Citizenship and Immigration Services (USCIS) employment authorization document/documentation proving lawful presence with the application before an Oklahoma teaching credential may be issued or reissued.
2. The Oklahoma teaching credential may be issued/reissued for no longer than the validity of the employment authorization document/documentation proving lawful presence. If the documentation proving lawful presence does not have an expiration date that affects the duration of a noncitizen's lawful presence, then the teaching credential shall have the same validity period as the teaching credential of a U.S. citizen.

(c) **Noncitizen Visiting Teacher Certification.** The State Board of Education may, upon request of a local school district, issue an international visiting teacher certification pursuant to 70 O.S. § 3-104(6).

1. An international visiting teacher certification may be issued to applicants who meet the following criteria:
   
   A) Applicant presents a document from an accredited public school district in this state offering employment following certification;
   
   B) Applicant must be a citizen of a country other than the United States and hold a J-1 visa issued by the United States Department of State;
   
   C) Applicant holds the equivalent of a bachelor's degree or higher from an accredited college or university in the subject area the applicant intends to teach and in the case of world languages, if the applicant is not a proficient native speaker of the target language to be taught, applicant has completed a major in the target language to be taught;
   
   D) Applicants who seek to teach world languages must have a minimum of three years of teaching experience in the target language requested to be taught unless the applicant is a proficient native speaker of the target language to be taught;
   
   E) Applicant is a participant in a visiting teacher program approved by the Oklahoma State Department of Education;
   
   F) Applicant must demonstrate proficiency at the advanced-low level of the American Council on the Teaching of Foreign Languages' (ACTFL) proficiency scale in both spoken and written English; and
   
   G) Applicant must complete an orientation program prior to employment and must be assigned a mentor teacher by the district.
(2) Applicants meeting all qualifications shall be granted a one-year teaching credential which may be renewed on a year-to-year basis for a maximum of three years upon request of the employing district.

(d) **Native American Language Teacher Certification.** The State Board of Education may, upon application, issue a teacher certification in Native American Languages. For purposes of this subchapter, a "Native American Language" means the historical, traditional languages spoken by Native Americans. For purposes of this subchapter, "Native American" shall have the meaning set forth in 25 U.S.C § 2902(1)-(2).

(1) A Native American language certification may be issued to applicants who meet the qualifications set forth in 210:20-9-104(b) and provide documentation that the applicant has met the following criteria:

(A) Applicant has obtained a certification of proficiency in the language sought to be certified in accordance with the provisions of 210:20-9-104(b);

(B) Applicant has completed a background check conducted by the State Department of Education in accordance with the provisions of 70 O.S. § 5-142; and

(C) Applicant has submitted a portfolio documenting applicant's experience in teaching the Native American language in which the applicant has been certified by a tribe and any other experience related to education.

(D) Any applicant who does not hold an Oklahoma traditional or alternative teaching credential must complete a school orientation program prior to employment and must be assigned a mentor teacher by the district.

(2) Applicants meeting all of the criteria set forth in this subsection shall be granted a provisional Native Language teacher certification for a period of one year. After the expiration of the one year provisional term, the Native Language teacher certification may be renewed in accordance with the following provisions:

(A) For an applicant who does not hold an Oklahoma traditional or alternative teaching credential, the Native Language certification may be renewed on a year-to-year basis if:

   (i) Renewal is requested by the employing district; and

   (ii) As a condition of the first two renewals of the teaching certificate, applicant provides evidence of completion of 60 clock hours/points of a professional teaching development program each year. For purposes of (ii) of this subparagraph, a professional teaching development program may include:

      (I) Programs, seminars, or conferences recognized for professional development credit by an Oklahoma public school district at the time the teacher attends; or

      (II) Higher education coursework in teacher education from an accredited college or university.

(B) For an applicant who holds an Oklahoma traditional or alternative teaching certificate, the Native Language teacher certification may be renewed for a five (5) year period.

(e) **Privacy and access.** Any person, with proper identification, that makes a written or oral request, will be informed of the certification status of any individual subject to certification. No other information will be given to a third party without the written consent of the person about whom the information is sought.

   (1) College transcripts and other supporting documents will neither be duplicated by nor released by the State Department of Education.

   (2) An original out-of-state teaching certificate may be returned, upon written request, to the applicant.
(f) **Multiple applications.** When application is made at the same time for two (2) or more certificates of the same class, only a single processing fee will be charged.

1. Applications may be made for multiple classes of certificates on one (1) form. There is a fee for each class.
2. When application is made at different times for two (2) or more certificates, a fee will be charged for each certificate requested.

(g) **Duplicate/update certificates.** A certificate/license may be duplicated or updated by submitting a written request and paying the fee.

(h) **Change of name.** A legal change of last name on a certificate/license may be accomplished at any time upon written request and paying the fee.

(i) **Refusal of certification.** No certificate/license will be issued unless all requirements for the certificate/license in question are fully met. In addition, no certificate/license will be issued if the attempt to become certified is based on misrepresentation, forgery, or fraud.

(j) **Grounds for cancellation of certificates.** Any certificate/license, credential, or endorsement obtained by misrepresentation, forgery, fraud, or issued by error will be cancelled. Upon written request the holder must surrender the certificate/license in question to the State Department of Education.

(k) **Felony as grounds for noncertification.** No person shall receive an Oklahoma certificate/license who has been convicted of a felony, any crime involving moral turpitude, or a felony violation of the narcotics laws of the United States or the State of Oklahoma, provided the conviction was entered within the ten (10) year period immediately preceding application for teacher certification.

(l) **Revocation of teaching certificate.** Teaching certificates/licenses issued by authority of the Oklahoma State Board of Education may be revoked by the board for willful violation of any rule or regulation of the board or any federal or state law or other proper cause. A certificate/license will be revoked only after a sufficient hearing has been given to the teacher before the State Board of Education in accordance with the hearing procedures set forth at 210:1-5-6.

1. No person whose certificate/license has been revoked in Oklahoma or any other state shall be issued an Oklahoma certificate/license unless the revoked certificate/license has been fully reinstated by the revoking state and grounds for the revocation do not conflict with Oklahoma law.
2. A person who has either voluntarily surrendered a teaching certificate in another state, been denied certification/licensure in another state or has had a certificate suspended in another state is not eligible for Oklahoma certification until an investigation has resolved the issues surrounding the surrender, denial, or suspension of certification.

(m) **Extending provisional certificates.** A request for extension of validity of any expired provisional certificate will be presented to the State Board of Education only when extenuating circumstances seem to justify its consideration. These requests shall be submitted in writing by the employing superintendent. A superintendent who holds an expired provisional certificate needs to have the president of the local board of education make the written request.

(n) **Degree/college credit accepted for certification regulations.** Only degrees conferred by state or regionally accredited colleges and universities recognized by the Oklahoma State Board of Education will be accepted by the Professional Standards Section as part of the requirements for teacher certification. Only work completed in state and regionally accredited colleges and universities, or transfer credit validated by them, will be accepted as a basis for teacher
certification. For purposes of Oklahoma certification, state-accredited colleges and universities are considered to be colleges and universities accredited by the Oklahoma State Regents for Higher Education or their counterpart in other states (a statewide higher education coordinating board/agency of control). Regionally accredited colleges and universities are considered to be colleges and universities accredited by regional institutional accrediting bodies recognized by the United States Department of Education.

(o) **Fee for duplicate licenses and certificates.** The State Board of Education shall charge and collect reasonable fees for the issuance and duplication of licenses and certificates.
210:35-9-31. Program of studies and graduation requirements

(a) **General provisions.** Every student at every high school shall have the opportunity to acquire all the competencies to matriculate at a comprehensive graduate institution of the Oklahoma State System of Higher Education without the necessity of enrolling at the university in secondary-level courses. Each student will have the opportunity to attain proficiency in the Priority Academic Student Skills.

(b) **Definitions.** The following definitions shall apply to this subsection:

1. "Contextual methodology" means academic content and skills taught by utilizing real-world problems and projects in a way that helps students understand the application of that knowledge.
2. "Courses approved for college admission requirements" means courses which are approved by the Oklahoma State Regents for Higher Education for admission to an institution within the Oklahoma State System of Higher Education.
3. "Qualified agricultural courses" means courses that have been determined by the State Board of Education to offer the sets of competencies set forth in the Oklahoma Academic Standards for one or more science content areas and which correspond to academic science courses and are taught by teacher who is certified and considered "highly qualified" to teach in the science course taught. Qualified agricultural education courses shall include, but are not limited to, Horticulture, Plant and Soil Science, Natural Resources and Environmental Science, and Animal Science.
4. "Rigor" means a level of difficulty that is appropriate for the grade level and that meets state and/or national standards;
5. "Sets of competencies" means instruction in those skills and competencies that are specified skills and competencies adopted by the State Board of Education without regard to specified instructional time;
6. "Unit" means a Carnegie Unit which is given for the successful completion of a course that meets the equivalent of 120 clock hours within the school year.

(c) **Total minimum graduation requirements.** In order to graduate with a standard diploma from a public high school accredited by the State Board of Education, students shall complete twenty-three (23) units or sets of competencies in grades nine (9) through twelve (12), which shall include either:

1. Seventeen (17) units or sets of competencies of the college preparatory/work ready curriculum requirements set forth in (d) of this Section, plus six (6) elective units or sets of competencies; or
2. Fifteen (15) units or sets of competencies of the core curriculum requirements set forth in (e) of this Section, plus eight (8) elective units or sets of competencies.

(d) **College preparatory/work ready curriculum requirements.** In order to graduate with a standard diploma from a public high school accredited by the State Board of Education, students
shall complete the following college preparatory/work ready curriculum units or sets of competencies at the secondary level:

(1) Four (4) units or sets of competencies of English to include:
   (A) Grammar;
   (B) Composition;
   (C) Literature; or
   (D) Any English course approved for college admission requirements;

(2) Three (3) units or sets of competencies of mathematics, limited to:
   (A) Algebra I;
   (B) Algebra II;
   (C) Geometry;
   (D) Trigonometry;
   (E) Math Analysis;
   (F) Calculus;
   (G) Advanced Placement Statistics; or
   (H) Any mathematics course with content and/or rigor above Algebra I and approved for college admission requirements;

(3) Three (3) units or sets of competencies of laboratory science, limited to:
   (A) Biology;
   (B) Chemistry;
   (C) Physics; or
   (D) Any laboratory science course with content and/or rigor equal to or above Biology and approved for college admission requirements;

(4) Three (3) units or sets of competencies of history and citizenship skills, including:
   (A) One (1) unit of American History;
   (B) One-half (1/2) unit of Oklahoma History;
   (C) One-half (1/2) unit of United State Government; and
   (D) One (1) unit of a course that has been approved for college admission requirements in one of the following subjects:
      (i) History;
      (ii) Government;
      (iii) Geography;
      (iv) Economics;
      (v) Civics; or
      (vi) Non-Western culture;

(5) Two (2) units or sets of competencies in one (1) of the following:
   (A) Two (2) units of the same foreign, Native American, or non-English language; or
   (B) Two (2) units of computer technology approved for college admission requirements, whether taught at a high school or a technology center school, including:
      (i) Computer programming;
      (ii) Computer hardware;
      (iii) Business computer applications (excluding keyboarding or typing courses) such as:
         (I) Word processing;
         (II) Databases;
         (III) Spreadsheets;
(IV) Graphics;

(6) One (1) additional unit or set of competencies selected from:
   (A) The categories of units or sets of competencies set forth in (1) through (5) of this subsection; or
   (B) Career and technology courses approved for college admission requirements;

(7) One (1) unit or set of competencies of
   (A) Fine arts such as music, art, or drama; or
   (B) Speech.

(e) Core curriculum requirements in lieu of college/work ready curriculum requirements. Upon written approval of the parent or legal guardian of a student, a student may enroll in the core curriculum requirements in lieu of the college/work ready curriculum requirements set forth in (d) of this Section. The fifteen (15) units of credit required for high school graduation with a standard diploma in accordance with the provisions of this subsection are:

(A) Language Arts: Four (4) units or sets of competencies, to consist of:
   (i) One (1) unit or set of competencies of grammar and composition; and
   (ii) Three (3) units or sets of competencies which may include, but are not limited to, the following courses:
       (I) American Literature;
       (II) English Literature;
       (III) World Literature; or
       (IV) Advanced English Courses or
       (V) Any other English courses with content and/or rigor equal to or above grammar and composition;

(B) Mathematics: Three (3) units or sets of competencies, to consist of:
   (i) One (1) unit or set of competencies of Algebra I or Algebra I taught in a contextual methodology; and
   (ii) Two (2) units or sets of competencies which may include, but are not limited to, the following courses:
       (I) Algebra II;
       (II) Geometry or Geometry taught in a contextual methodology;
       (III) Trigonometry;
       (IV) Math Analysis or Precalculus;
       (V) Calculus;
       (VI) Statistics and/or Probability;
       (VII) Computer Science, if taught by a teacher who is certified to teach mathematics;
       (VIII) Other contextual mathematics courses which enhance technology preparation taught at a comprehensive high school;
       (IX) Other contextual mathematics courses which enhance technology preparation taught at a technology center school by a teacher certified in the secondary subject area, when taken in the eleventh (11th) or twelfth (12th) grade, and approved by the State Board of Education and the independent district board of education; or
       (X) Any other mathematics courses with content and/or rigor equal to or above Algebra I.

(C) Science: Three (3) units or sets of competencies, to consist of;
(i) One (1) unit or set of competencies of Biology I or Biology I taught in a contextual methodology; and
(ii) Two (2) units or sets of competencies in the areas of life, physical, or earth science or technology which may include, but are not limited to, the following courses:
   (I) Chemistry I;
   (II) Physics;
   (III) Biology II;
   (IV) Chemistry II;
   (V) Physical Science;
   (VI) Earth Science;
   (VII) Botany;
   (VIII) Zoology;
   (IX) Physiology;
   (X) Astronomy;
   (XI) Applied Biology/Chemistry;
   (XII) Applied Physics;
   (XIII) Principles of Technology;
   (XIV) Qualified agricultural education courses; or
   (XV) Other contextual science courses which enhance technology preparation taught at a comprehensive high school;
   (XVI) Other contextual science courses which enhance technology preparation taught at a technology center school when taken in the eleventh (11th) or twelfth (12th) grade, taught by a certified teacher, and approved by the State Board of Education and the independent district board of education;
   (XV) Other science courses with content and/or rigor equal to or above Biology I.

(D) Social Studies: Three (3) units or sets of competencies, to consist of:
   (i) One (1) unit or set of competencies of United States History;
   (ii) One-half (1/2) to one (1) unit or set of competencies of United States Government;
   (iii) One-half (1/2) unit or set of competencies of Oklahoma History; and
   (iv) One-half (1/2) to one (1) unit or set of competencies which may include, but are not limited to, the following courses:
      (I) World History;
      (II) Geography;
      (III) Economics;
      (IV) Anthropology; or
      (V) Other social studies courses with content and/or rigor equal to or above United States History, United States Government, and Oklahoma History; and

(E) Arts: Two (2) units or sets of competencies which may include, but are not limited to, courses in Visual Arts and General Music.

(f) **Other curriculum requirements.** In addition to the curriculum requirements set forth in (c) through (e) of this subsection, each secondary school shall ensure that the following curriculum requirements are met:

   (1) **Personal Financial Literacy Passport.** Beginning with the seventh grade, students shall fulfill the requirements for a Personal Financial Literacy Passport in order to graduate with a standard diploma from a public high school accredited by the State Board of Education.
(A) The requirements for a Personal Financial Literacy Passport shall be the satisfactory completion and demonstration of satisfactory knowledge in all fourteen (14) areas of instruction during grades seven (7) through twelve (12). The fourteen (14) areas of instruction are:

(i) Understanding interest, credit card debt, and online commerce;
(ii) Rights and responsibilities of renting or buying a home;
(iii) Savings and investing;
(iv) Planning for retirement;
(v) Bankruptcy;
(vi) Banking and financial services;
(vii) Balancing a checkbook;
(viii) Understanding loans and borrowing money, including predatory lending and payday loans;
(ix) Understanding insurance;
(x) Identity fraud and theft;
(xi) Charitable giving;
(xii) Understanding the financial impact and consequences of gambling;
(xiii) Earning an income; and
(xiv) Understanding state and federal taxes.

(B) Instruction in these fourteen areas must align and meet the Personal Financial Literacy academic standards as adopted by the Oklahoma State Board of Education.

(C) School districts shall have the option of determining when each of the fourteen (14) areas of instruction listed above shall be presented to students in grades seven (7) through twelve (12). Options include:

(i) Integration into one or more existing courses of study;
(ii) A separate Personal Financial Literacy course; and/or
(iii) Use of State Department of Education Personal Financial Literacy online modules of learning.

(D) The Oklahoma State Department of Education online modules of learning and the assessments shall be available to all students as determined by the local school district.

(E) In order to facilitate the monitoring of student progress towards achieving the Personal Financial Literacy Passport, districts shall maintain a Personal Financial Literacy Passport cumulative record. The Personal Financial Literacy Passport cumulative record shall be a uniform document used by all school districts within the state. The State Department of Education shall provide an electronic version of the Personal Financial Literacy Passport cumulative record to the districts. Completion of the fourteen (14) areas of instruction of Personal Financial Literacy shall be documented in the student's high school transcript. The Personal Financial Literacy Passport cumulative record shall accompany the student when transferring to a new district.

(F) Elementary districts, PK-8, may enter into a vertical articulated curriculum agreement with an independent district, PK-12, for facilitating and sharing of the personal financial literacy curriculum and instruction.

(G) Teachers providing instruction in personal financial literacy shall be certified in accordance with the provisions of the Passport to Financial Literacy Act at 70 O.S. § 11-103.6h.
(H) School districts shall assess the knowledge of all students who transfer into an Oklahoma school district from out of state after the seventh grade.

(i) If the school district determines that the transferred student has successfully completed instruction in any or all of the areas of personal financial literacy instruction at the previous school in which the student was enrolled, or if the student demonstrates satisfactory knowledge of any or all of the areas of personal financial literacy instruction through an assessment approved by the State Department of Education, the school district may exempt the student from completing instruction in that area of personal financial literacy instruction.

(ii) Students who transfer into an Oklahoma school district from out of state after the junior year of high school may be granted an exception from the requirements of the personal financial literacy passport in accordance with the provisions of 70 O.S. 11-103.6.

(2) **Recommended curriculum.** School districts shall strongly encourage students to complete two units or sets of competencies of foreign languages and two units or sets of competencies of physical and health education.

(3) **Credit toward graduation requirements.** Credits for meeting curriculum requirements toward graduation shall be determined in accordance with all of the following provisions:

(A) No student shall receive credit for high school graduation more than once for completion of the same unit or set of competencies to satisfy the core curriculum requirements.

(B) Credit for all units or sets of competencies required in (d) and (e) of this Section shall be given when such units or sets of competencies are taken prior to ninth (9th) grade if:

(i) The teachers are certified or authorized to teach the subjects for high school credit; and

(ii) The required rigor of the course is maintained.

(C) Notwithstanding the provisions of (3)(B) of this subsection, the three units or sets of competencies in mathematics required in (d) or (e) of this Section shall be completed in the ninth (9th) through twelfth (12th) grades. If a student completes any required courses or sets of competencies in mathematics prior to ninth grade, the student may take any other mathematics courses or sets of competencies to fulfill the requirement to complete three (3) units or sets of competencies in grades nine (9) through twelve (12) after the student has satisfied the requirements of subsection (d) or (e) of this Section.

(D) Successful completion of an alternative assessment set forth in 210:10-13-16(b)(7)-(8) shall not constitute a basis for awarding a student credit for any course in which a student has failed the end-of-instruction exam and failed to attend in accordance with local district attendance policies.

(4) **Achieving Classroom Excellence Act.** The curriculum requirements for graduation set forth in (c) through (f) of this Section and 70 O.S. § 11-103.6 are in addition to and separate from the requirements of the Achieving Classroom Excellence Act set forth at 70 O.S. § 1210.523 and the accompanying regulation at 210:10-13-16. Students must fulfill the applicable requirements (or, in some cases, qualify for applicable exceptions or exemptions) of both statutes to be eligible to be awarded a standard diploma.
(g) **Additional accreditation requirements.** In addition to the curriculum requirements set forth in (c) through (f) of this Section, all public school districts shall ensure that its schools' secondary programs are designed to meet all of the following requirements:

1. As a condition of receiving accreditation from the State Board of Education, all school districts shall require all students in grades nine (9) through twelve (12) to enroll in a minimum of six periods, or the equivalent in block scheduling or other scheduling structure that allows for instruction in sets of competencies, of rigorous academic and/or rigorous vocational courses each day, which may include arts, vocal and instrumental music, speech classes, and physical education classes. However, students re-enrolled in high school solely for the purpose of receiving ACE remediation in accordance with the provisions of 210:10-13-16(g) shall be exempt from this requirement.

2. Each high school's academic program shall be designed to prepare all students for employment and/or postsecondary education. The secondary academic program shall be designed to provide the teaching and learning of the skills and knowledge in the Priority Academic Student Skills. All high schools accredited by the State Department of Education shall offer the college preparatory/work ready curriculum required for the students to earn a standard diploma during grades nine (9) through twelve (12). To meet graduation requirements, local options may include courses taken by advanced placement, concurrent enrollment, correspondence courses, supplemental online courses, or courses bearing different titles.

3. The secondary academic programs may also provide the traditional units of credit to be offered in grades nine (9) through twelve (12) with each secondary school offering and teaching at least thirty-eight (38) units or their equivalent each school year. Four (4) of these units may be offered on a two-year alternating plan with thirty-four (34) units or their equivalent to be taught in the current school year. In schools with other than a four-year organization, these units shall be offered and taught in conjunction with the affiliated schools containing those grade levels. Career and technology center courses in which secondary students are enrolled may count toward the thirty-eight (38) required units of credit or their equivalent.

4. District boards of education can make exceptions to state high school graduation curriculum requirements for students who move to this state from another state after their junior year of high school.
   
   (A) After a student from another state enrolls in an accredited Oklahoma high school the school board can make an exception to the high school graduation curriculum requirements of 70 O.S. §11-103.63. Individual exceptions can only be made when there are differing graduation requirements between the two states and completing Oklahoma graduation requirements will extend the student's date of graduation beyond the graduation date for the student's class.

   (B) The district must report all exceptions made to state graduation requirements for these senior students to the State Department of Education each school year. All exceptions made at each district high school will be forwarded to the State Department of Education on or before July 1 of each year. Districts may report the information on the Annual Statistical Report. This reporting provision does not include students who have individualized education programs pursuant to the Individuals with Disabilities Education Act (IDEA) and who satisfy graduation requirements through the individualized education program.
(5) District boards of education shall waive the Oklahoma History graduation requirement for children of military families who transition with the military from another state and who have satisfactorily completed a similar state history class in another state. "Children of military families", as defined in 70 O.S. § 510.1, means "a school-aged child(ren), enrolled in Kindergarten through Twelfth grade, in the household of an active duty member".

(56) In order for a course offered by a supplemental educational organization to be counted for purposes of student academic credit and towards graduation requirements, the local board of education must verify that the course meets all requirements in 70 O.S. § 11-103.6.) Upon verification, the local school board of education's request for course approval shall be submitted to the State Board of Education for final approval.
210:40-75-2. Definitions
The following words and terms, when used in the Subchapter, shall have the following meaning, unless the context clearly indicates otherwise:

"Community Advisory Committee" means a local school district committee whose membership includes interested citizens representing a variety of community organizations.

"Consortium" means one or more school districts joined together to total a minimum of 500 students.

"Internal Coordinating Committee" means a committee comprised of local school district personnel whose membership shares with the parent education program administrator the ongoing responsibility for successful implementation of the program.

"Parent Coordinator" or "Family Support Provider" means a person who has completed training and certification approved by the Oklahoma State Department of Education through the National Parents As Teachers Center. The coordinator or Family Support Provider plans and implements the Oklahoma Parents As Teachers program of parent education in accordance with the guidelines and the rules and regulations of the Oklahoma State Department of Education. In some situations the coordinator or Family Support Provider may serve as a part-time parent educator.

"Parent Education Program Administrator" means a person employed by the local school district who is designated as responsible for the implementation of the program.

"Parent Educator" means a person employed through the local school district who has completed training and certification approved by the Oklahoma State Department of Education.

210:40-75-4. Program requirements
Requirements for the Oklahoma Parents As Teachers program of parent education

(a) Programs funded by the State Department of Education with funds provided in support of the parent education program legislation (HB 1017, Section 35A and B70 O.S. § 10-105.3), must meet the following basic program requirements. The Oklahoma Parents As Teachers Program must:

(1) Be voluntary and free to parents.
(2) Employ as parent educator(s), persons who have earned a minimum of sixty hours of college credit and completed training and certification approved by the Oklahoma State Department of Education. It is recommended that each part-time parent educator serve a maximum of 30–35 children.
(3) Employ a coordinator or Family Support Provider who has a minimum of a bachelor's degree in early childhood development or related field and has completed training and certification approved by the State Department of Education, if more than one parent educator is required. In some situations, the coordinator or Family Support Provider may serve as a part-time parent educator.
(4) Implement the curriculum approved by the State Department of Education.
(5) Be conducted a minimum of 10 months of the year.
(6) Include ten personalized contacts per year with each parent/family group involved in the program, including:
   (A) monthly home visits to each parent/family group involved in the program, and scheduled at the convenience of the parent/family group (during evening hours or on Saturday, if necessary); and
   (B) monthly parent group meetings Family Support Meetings.

(7) Include an internal coordinating committee and a community advisory committee.

(8) Provide evidence of coordination of services with other community programs with similar purposes.

(9) Be open to all parents in the community, with a demonstrated effort to balance participation among various groups through active encouragement of the involvement of first time parents, teen parents, and high challenge families.

(10) Conduct child developmental screening, including but not limited to, vision, hearing, the understanding and use of language, motor development and eye-hand coordination, and health and physical development, use forms designated by the State Department of Education.

(11) Serve parents with children from birth to age 3 (0–36 months).

(12) Provide reports and program information as determined necessary by the State Department of Education.

(13) Designate a room, or space in an existing room, for parenting and child growth and development materials for use by parents and children participating in the program.

(14) Be operated by the district or the district may contract with private, nonprofit corporations or associations or with any public or private agency or institution (i.e., Head Start).

(b) School district must have an enrollment of at least 500 students or form a consortium with other districts to total a minimum of 500 students for the development and operation of an OPAT a program of parent education.

210:40-75-6. Funding
(a) In order to receive state funds for the development and operation of an Oklahoma Parents As Teachers a program of parent education or a Parent Education Training Program, a local board of education shall submit to the State Department of Education an application and description of the program.
(b) The application and description shall be prepared in such form and manner as the State Board Department of Education shall require and shall be submitted at a time determined and specified by State Board Department of Education.
(c) In the application for state funds the applicant must assure that he/she is aware that this grant is to be spent between July 1 and June 30 of the current fiscal year.

210:40-75-7. Solicitation, acceptance, and evaluation of district applications for state-funded Oklahoma Parents as Teachers (OPAT) Grants grants for programs of parent education
(a) Purpose; OPAT Grants to serve eligible school districts. OPAT grants Grants for programs of parent education shall be awarded to local school districts or consortia for programs serving school districts approved by the State Board Department of Education.
(b) The State Department of Education shall notify all school districts of the eligibility and availability of OPAT grant funds for programs of parent education and of the deadline for submitting grant applications.

(c) OPAT programs shall address the following: composition of the OPAT advisory committee, assessment of needs, community(ies) to be served, goals and objectives, proposed activities and implementation plan, and proposed budget.

(d) OPAT grant applications shall be reviewed by a committee and approved by the State Board of Education.

(e) OPAT grant recipients shall identify a program administrator or Family Support Provider, and shall maintain financial records according to the Oklahoma Cost Accounting System (OCAS).

(f) Each funded school district shall agree to abide by the guidelines, rules, and regulations of the Oklahoma State Department of Education (OSDE) in implementing the OPAT grant program, and shall provide program and budget reports as required by the OSDE.

(g) The amount of funding available for each school district will be determined based on the annual appropriation and the following categories:

1. Districts/Consortia with ADM of 30,000 or more students;
2. Districts/Consortia with ADM of 18,000 or more students;
3. Districts/Consortia with ADM of 3,000 or more students
4. Districts/Consortia with ADM of 1,000 or more students;
5. Districts/Consortia with ADM of 500 or more students.
210:10-1-13. Educational services for children in residential care, treatment, or emergency shelter facilities

(a) **Purpose.** These policies are for the purpose of establishing standards for the educational services for children placed in facilities which exist for the purpose of providing residential care, treatment (24-hour residential) or emergency shelter care.

(b) **Facilities licensing/approval.** The facilities should be licensed or approved by the appropriate oversight state agency (i.e., Department of Human Services, Office of Juvenile Affairs, Department of Health, and Department of Mental Health and Substance Abuse Services). Such residential care or treatment facilities as juvenile detention centers, group homes, and emergency youth shelters will be included for these programs.

(c) **Residency.** Student residency shall be determined by application of 70 O.S. § 1-113:

1. Children placed in facilities such as an orphanage, eleemosynary (charitable) child care facility, in which a child is placed by the parent or guardian for full time residential care and attend a district school by joint agreement of the district or facility and are not placed in a facility through a state contract, are residents for school purposes of the school district where the facility is located. [70 O.S. Supp. 1998, § 1-113]

2. Children placed in facilities which are state operated institutions or who are temporarily in state-licensed or operated emergency shelters are residents for school purposes of the school district where the facility is located. [70 O.S. Supp. 1998, § 1-113]

3. Children placed in a foster home, as defined at 10 O.S. § 402, except a therapeutic foster home or a specialized foster home voluntary placement, by the person or agency having legal custody pursuant to court order or by a state agency having legal custody are residents for school purposes of the school district where the foster home is located. If the foster parent has requested that the residence of the foster child for school purposes be the school district in which the child resided prior to being placed in foster care, or the school district in which the child's previous foster family home is located, the district selected by the foster parent shall be the child's district of residence. [70 O.S. Supp. 1998, § 1-113]

4. For youth who are placed in juvenile detention facilities , the district of residence for school purposes shall be the school district in which the parents, guardians, or person having legal custody holds legal residence. [70 O.S. Supp. 1998, § 1-113]

5. When a child does not meet the criteria for residency provided in 70 O.S. Supp. 1998, § 1-113, subsection A, and is placed in a residential care facility or treatment program or center, including J.D. McCarty Center (63 O.S. § 485.1), which is out of the child's home and not in the school district in which the child legally resides, the facility or program shall, if the child contends he or she resides in a district other than the district where the facility or program is located, within seven (7) eleven (11) days of admittance, notify the district in which the out-of-home placement or treatment is located of the admittance.

(d) **Contractual agreement for educational services.** A contractual agreement for the provision of educational services will be developed and signed by the chief executive officer of each agency or organization, or by the chairman of the governing board or board of directors of each licensed public or private agency, operating or supervision of residential care, treatment, or emergency shelter facilities.
(1) Each individual or entity operating a residential facility or treatment program which requires provision of educational services from the school district, shall notify the local board of education of its anticipated educational needs, prior to location in a school district. No school district shall be required to provide educational services for residents of the facility or participants in the program until at least sixty (60) calendar days have elapsed from the time in which the local board of education was initially notified of the need unless the school district so agrees to provide the educational services sooner. [70 O.S. Supp. 1998, § 1113]

(2) Pursuant to 10A O.S. § 2-7-305, any state agency letting grants or contracts for residential care or treatment facilities for children shall require, as a condition of grants or contracts, documented assurance of appropriate provision of educational services. [10 O.S. § 607(C)]

(3) The contractual agreement for educational services shall include the following as a minimum:

   (A) Teacher certification requirements: Teachers shall be appropriately certified by the Oklahoma State Department of Education. Pursuant to 70 O.S. § 1210.567, a certified teacher who is qualified to teach in an accredited school district's educational services for a residential care or treatment facility may teach subjects in which the teacher does not hold certification. This shall only be valid upon application of a school district, offering on-site educational services in a residential or treatment facility, and approved by the State Department of Education, only for those purposes. [70 O.S. Supp. 1996, 1210.567] The application for Accreditation or amended application shall serve as the district's application for these purposes. Original copies of the application and teacher certificates shall be on file at the school district administration office and copies maintained at the building site level.

   (B) Number of hours taught: The State Department of Education shall authorize, upon application by a school district, an abbreviated day schedule for the education provided for students in a residential care or treatment facility located within the district. [70 O.S. Supp. 1996, 1210.567] The Application for Accreditation or amended application shall serve as the district's application for these purposes. Education services available shall be provided to children/youth no later than the tenth school day of admittance. Exception will be for cause in the interest of the child and documentation by recommendations of the attending licensed psychologists, psychiatrists, or physicians on the residential care or treatment staff.

   (C) Adequacy of facilities: The residential care, treatment, or emergency shelter facilities shall provide and maintain areas appropriate for the school district to conduct the educational program pursuant to contractual agreement and shall be responsible for all services and costs associated with such services which are not directly related to education. Relevant safety and health standards shall be followed. Such facilities shall meet the accreditation standards of the State Board of Education for educational services and shall meet other existing standards which apply to facilities of residential care, treatment, or emergency shelter programs.

   (D) Educational plans, including plans for transition in to regular school setting: Education plans for students shall describe the appropriate curriculum, instructional time, and setting for each child. The child should receive instruction in an appropriate setting based on the individual educational needs of the child and should progress toward a full school day (six hours) program.
(4) The State Department of Education shall provide a sample contract with standard or uniform provisions for use by school districts which provide education to students in such facilities or programs. Provision in the contract shall be designed to ensure an appropriate education to which a student is entitled in the most cost-efficient manner to the responsible school district and shall allow for local flexibility in funding and education arrangements. The cost for related services, therapies, treatments, or support services for eligible students shall be the responsibility of the facility unless otherwise agreed by the contractual parties or as otherwise specified in the IEP. Otherwise valid obligations to provide or pay for such services, such as Medicaid, shall remain in effect for children who are eligible from sources other than the school district. [70 O.S. Supp. 1998, § 113]

(e) Educational plans for residential care, treatment facilities, or emergency shelter facilities.

(1) Each child/youth shall have his/her educational needs reviewed within five school days by a team of professionals to determine the educational needs of the student and to develop an educational plan which is consistent with state and federal laws and regulations. The education plan shall work toward integration of the student into the receiving school district.

(2) The professional team for the educational plan shall include a teacher or an appropriately qualified educator representative and be under the direction of personnel of the school district. A procedure must exist to permit team members to communicate their recommendations and other relevant information to the facility staff on a regular basis.

(3) The educational plan shall be periodically reviewed and adjustments by the professional team made to ensure that the child is receiving appropriate educational opportunities at all times.

(4) The educational plan shall describe the appropriate curriculum, instructional time, and setting for the child/youth. The child should receive instruction in an appropriate educational setting based on individual educational needs and should progress toward a full school day (six hours) program. The student's current grade level and/or ability should be considered.

(5) The educational plan shall be implemented within ten days of enrollment.

(6) The educational plans and educational services shall be provided under the supervision of a school district administrator.

(7) The educational plan and individual student records for the educational services shall be maintained by the school district with proper protections for disclosure, including a procedure for expeditious exchange of education records to properly authorized persons, in accordance with the Family Education Rights and Privacy Act, and other relevant state and federal laws.

(8) The educational plan shall be implemented in accordance with any procedural safeguards for eligible children with disabilities who require Individualized Education Programs (IEPs) under the Individuals with Disabilities Education Act (IDEA). The eligible student's school district of residence shall be notified immediately by the providing district upon finding that the eligible student requires special education and related services and notified as to the time, date and location of meetings for the purpose of planning the student's IEP and subsequent reviews. The facility may have a representative present at the IEP conference to advise the IEP team of any concerns or information the facility has to offer regarding the eligible student's educational needs and eligibility for related services. The facility and the providing district shall coordinate with the eligible student's school district of residence as necessary for the development of the IEP. [70 O.S. Supp. 1998, § 113]
(9) Teachers shall be assigned for provision of educational services in accordance with the appropriate class size and teacher/student ratio.

(10) The facility shall provide assistance in severe, disruptive situations and will provide supervision of out-of-classroom suspension, time-out, and detention during school and, when requested by the assigned education personnel, will intervene in matters of discipline, unless otherwise agreed to in the contract.

(f) **State licensed or operated emergency shelters.** The local school district is not required to enter into a contract with a residential care, treatment, or emergency shelter unless it is state licensed or state operated.

(g) **Education to Students in Jail.**

1. Each school district in the state with a city, county, or state jail within the district's boundaries shall designate an employee or employees of the school district who will be responsible for overseeing the educational services to eligible juveniles identified by the facility. While incarcerated in a jail, the student shall be considered a resident of the school district where the jail is located.

2. Once an employee is designated by the school district that person shall immediately contact the individual in charge of the operation of the jail or jails within the boundaries of the school district and provide them with information regarding the requirements of this rule.

3. When a school district receives notification of the need for educational services from a facility incarcerating a juvenile, the school district shall provide the juvenile with an appropriate education plan designed for the possible reintegration of the student into school, which must include the core subjects. The education plan contemplated by this rule corresponds to the education plan referenced in the Oklahoma School Laws at 70 O.S. § 24-101.3(D) for students suspended from school. A copy of the education plan developed by the school district shall be provided to the facility and to the juvenile and a copy shall be kept on file by the school district. For purposes of this rule the core units shall consist of English, Math, Science, Social Studies, and Art units required by the State Board of Education.

4. The education plan shall set out the procedure the school district and the facility will utilize for the provision of educational services to the juvenile and will address academic credit for work satisfactorily completed. These procedures and requirements apply to facilities which do not have in place, on the effective date of this rule, a plan for educational services of incarcerated juveniles.

5. The provisions of residency law at 70 O.S. § 1-113 addressing responsibility for educational services to juveniles in facilities located within the boundaries of the school district prevail over the requirements set forth in this rule.

(h) **Accreditation standards monitoring.** The educational program of each school district providing educational services for students placed in a facility located in the school district shall be monitored by the State Department of Education. The department shall determine if the educational program is in compliance with State Board of Education regulations. The recommended accreditation status shall be reported to the State Board of Education.
210:15-3-133. Overview
(a) The Oklahoma State Board of Education has identified the study of languages (foreign, Native American, American Sign Language) as core curriculum along with science, mathematics, social studies, language arts, and the arts (visual art and general music). All districts are required to implement a sequential program of study of at least one language other than English in the curriculum. THE STATE SCHOOL LAWS OF OKLAHOMA 2001 state "Students must learn about cultures and environments— their own and those of others with whom they share the earth. Students, therefore, must study social studies, literature, languages, the arts, mathematics and science." (70 O.S. § 11-103.6)
(b) The content standards for language learning included in this document are based on an instructional program in world languages other than English for all students, beginning in kindergarten and continuing through 12th grade. These standards reflect the latest research in the field of second language instruction as presented in the profession's national standards document, STANDARDS FOR FOREIGN LANGUAGE LEARNING: PREPARING FOR THE 21ST CENTURY. As in the national standards, there are five overarching goals in Oklahoma's curriculum framework: communication, cultures, connections, comparisons, and communities. With communication and culture as the cornerstone for all language learning, the state's goal is for all Oklahoma students to learn "how, when, and why to say what to whom" in a language other than English (NATIONAL STANDARDS IN FOREIGN LANGUAGE EDUCATION PROJECT, 1996, p.11).
(c) LANGUAGES AWARENESS (Grades K-3) is to be a required program in Oklahoma schools through which children gain the insight that other languages exist besides their own. Districts will implement an exploratory program that will expose the student to several languages and cultures. The goal of this program model is to learn about language(s) and culture(s), and is not intended to lead to any proficiency in the language(s) studied. The student may be exposed to several languages and cultures.
(d) In addition to the required language(s) awareness program, districts may choose to start a sequential, articulated language program beginning in kindergarten that focuses on communication. The goal of this K-12 program model is communication that will lead to proficiency as students progress through the sequential, articulated program in their elementary and secondary schools. Heining-Boynton maintains that for those schools and/or districts that desire their students to begin the early study of foreign languages in a meaningful context with a highly-structured curriculum articulated in a long sequence, then this is the model of choice (Heining-Boynton, 1998, p.2).
(e) For those districts who have not chosen to implement a sequential, articulated language program in K-3, Grade 4 is the beginning of a required sequential language program in Oklahoma schools through which all students begin to develop proficiency in a language. Language(s) selection is determined by each district. The students will continue the sequential and articulated program in the same language every year through Grade 8. By the end of the Grade 4-8 program sequence, students should demonstrate proficiency as described by the Novice Level progress indicators listed in this document. To reach the Novice Level proficiency
requirement for the Grade 4-8 program, it is recommended that students will need to meet a minimum total of 365 hours of instruction in a standards-based curriculum classroom.

(f) Districts should be aware of federal legislation which offers monetary awards to districts who have implemented elementary foreign language programs that lead to student proficiency in the language. The Foreign Language Incentive Program of the No Child Left Behind Act of 2001 awarded "incentive payments to public elementary schools that provide students with a foreign language program designed to lead to communicative competency. A program leading to communicative competency is comparable to a program that provides at least 45 minutes of instruction per day for not less than 4 days per week throughout an academic year." (Federal Register, 2002, Vol. 67).

(g) Grades 9-12 provide continued sequencing of instruction for further language proficiency for Oklahoma students. School districts must offer at least two years of a specific language in high school. Districts may offer long-term, sequential programs in more than one language. Two Carnegie units of study (240 hours) of the same world language is part of the requirement for the Certificate of Distinction, an award that high schools may offer to high school graduates. (70 O.S. §11-103.6c)

(h) In Oklahoma's 4th grade through 8th grade sequential language program requirement, students should reach the Novice Level benchmark by the end of their language learning experience. If students choose to continue the study of the same language through high school, students should reach the Intermediate benchmark. Students should reach the Pre-advanced benchmark if they begin a sequential, articulated program in kindergarten and continue through 12th grade. This instructional sequence represents a vision for how well Oklahoma world language learners will perform in languages if they start early and continue language learning throughout their school experience.

(i) Realistic performance levels for students enrolled in a sequential language learning experience at various points are outlined in the AMERICAN COUNCIL ON THE TEACHING OF FOREIGN LANGUAGES (ACTFL) PERFORMANCE GUIDELINES FOR K-12 LEARNERS. This document describes realistic performance levels depending upon entry and exit into a sequential and articulated language program. It reflects the influence of time on language performance ability and shows what ability is reasonable to expect of students who begin foreign language study at various points in the K-12 spectrum. This information is based on the assumption that "elementary programs (K-5) meet from 3-5 days per week for no less than 30-40 minutes per class; middle school programs meet daily for no less than 40-50 minutes; and high school programs meet the required time that equals four Carnegie units of credit (480 hours of seat-time)" (ACTFL PERFORMANCE GUIDELINES FOR K-12 LEARNERS, 1999, p. 6) A K-12 language program sequence following these minimum guidelines would meet for no less than 1400 hours in order to reach Pre-advanced Learner Range performance.

(j) Varying learning rates, different learning styles, and the general language learning ability of students all affect how well second language acquisition will happen. The amount of time spent in language instruction greatly influences performance ability. It is important to note that language proficiency is best developed when students start early and stay late in a sequential, articulated program. Haas (1998) states that learning a foreign language is not much different from learning other core curriculum subjects. In any area, students benefit from starting early and continuing through a long sequence of learning that grows and deepens as they mature (p. 43).

(k) For elementary sites, language certification for teachers is not required. However, teachers with language certification or teachers with language proficiency are preferred. In K-8
elementary sites, language certification for teachers of Grade 7 and/or 8 is required if students will receive high school credit for foreign language on their high school transcript.

(l) For middle school and junior high sites, language certification for teachers is required. For middle school and junior high sites giving high school credit for world languages, teachers must have secondary certification, and curriculum standards at the middle school or junior high level must equal requirements at the high school level.

(m) Oklahoma's world languages educators envision a future in which "ALL students will develop and maintain proficiency in English and at least one other language, modern or classical" (NATIONAL STANDARDS IN FOREIGN LANGUAGE EDUCATION PROJECT, 1996, p. 7). As stated in the profession's national goals, communication is at the heart of second language study, whether the communication takes place face-to-face, in writing, or through reading. Through the study of other languages, students gain a knowledge and understanding of the cultures that use that language. Learning languages provides connections to additional bodies of knowledge that are unavailable to monolingual English speakers. Through comparisons and contrasts with the language studied, students develop greater insight into their own language and culture and realize that multiple ways of viewing the world exist. Together, these elements enable the student of languages to participate in multilingual communities at home and around the world in a variety of contexts and in culturally appropriate ways (NATIONAL STANDARDS IN FOREIGN LANGUAGE EDUCATION PROJECT, 1996, p. 27). Students learn a language best when they are provided opportunities to use the target language to communicate in a wide range of activities. The more learners use the target language in meaningful situations, the more rapidly they achieve competency. Active use of language is central to the learning process; therefore, learners must be involved in generating utterances for themselves. They learn by doing, by trying out language, and by modifying it to serve communicative needs (NATIONAL STANDARDS IN FOREIGN LANGUAGE EDUCATION PROJECT, 1996, p. 37). The following graphic is a visual summary of Oklahoma Standards for World Languages. The communication goal is central to the attainment of all other goals. The other four goals (cultures, connections, comparisons, and communities) serve as a context for the development of interpretive, interpersonal, and presentational communication.

(n) In the Oklahoma World Languages Standards document there are five goals for each level of proficiency: communication, cultures, comparisons, connections, and communities. For each of the five goals there are two or more student standards that describe what students should know and be able to do in the target language. For each standard, there are a list of progress indicators that specifically describe what students need to know and do within a specified proficiency range. After the progress indicators for each standard, there is a list of performance guidelines based on the ACTFL PERFORMANCE GUIDELINES FOR K-12 LEARNERS (1998). The performance guidelines describe how well a student will be able to perform the standard within the specified proficiency range. Following the performance guidelines there is a set of classroom examples that describe what types of sample activities appropriately reflect the standard addressed.

(o) The Oklahoma standards document defines skills within certain ranges: Novice Level Range, Intermediate Level Range, and Pre-advanced Level Range. These proficiency ranges represent a continuum of student development, reflecting the diversity of individual student learning, as opposed to levels of instruction which are typically defined by years or semesters of classroom instruction.
Typically, the levels of language instruction are based on the time involved in the instruction. Because the implementation of world language programs in Oklahoma varies greatly from one context to another and entry into a foreign language program can occur at various grades, the levels of instruction are described as follows:

- Level I instruction may be achieved in three ways: (1) in the elementary grades, kindergarten through Grade 5 (depending on the type of program offered); or (2) varying programs of instruction in middle school (comparable in content and contact hours to the course equivalent offered in high school); or (3) one Carnegie Unit (120 hours) of instruction in Grades 9-12.

- Level II is described as (1) instruction in middle school (depending on the type of program offered) after the successful completion of Level I in elementary school; or (2) one Carnegie Unit (120 hours) of instruction in high school after the successful completion of Level I in middle school or high school.

- Subsequent levels (Level III-VI) are described each as one Carnegie unit (120 hours) of instruction in high school after the successful completion of the previous level.

- Each proficiency range (Novice, Intermediate, Pre-advanced) may require more than one level of instruction, depending on various factors such as student ability, classroom instruction, scheduling logistics, and other variables affecting student learning. The Novice Level Range starts in Level I and generally carries over into Level II. The Intermediate Level Range may be initiated in Level II with some students, and generally includes Level III, extending into Level IV. The Pre-advanced Level Range will usually incorporate instruction initiated in Level IV and possibly continuing through Level VI.

- The standards written in this Oklahoma world languages curriculum framework are for all languages taught in Oklahoma schools. Some languages, such as American Sign Language, Native American languages, and classical languages have unique characteristics that may require some modifications in the standards to reflect their special traits. For example, Latin places a stronger emphasis on reading, while oral skills receive less emphasis. Native American languages emphasize oral skills, while written skills receive less emphasis. American Sign Language emphasize visual-gestural and interpretive communication.

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210:15-3-133.1. Definitions

The following words and terms, when used in this Subchapter, shall have the following meaning, unless the context clearly indicates otherwise:

- **Articulation** means a foreign language program which provides for a gradual, sequential progression of knowledge and skills from level to level of language development.

- **Authentic assessment** means assessments that evoke demonstrations of knowledge and skills in ways that are applied in the real world.

- **Authentic materials** means resources including books, magazines, newspapers, brochures, menus, videos, recordings, etc., which are used by people in the target culture.

- **Benchmark** means an interpretation of a performance standard according to age, grade, or developmental level.

- **Circumlocution** means using alternate (roundabout) words and phrases to convey meaning or express an idea.

- **Classical languages** means the forms of Latin and Greek used in ancient Greek and Latin literature.
"Cognate" means a word in the target language that looks like, or sounds like, a word with the same meaning in English.

"Culture" means the term generally understood to include the philosophical perspectives, the behavioral practices, and the products—both tangible and intangible—of a society.

"Curriculum framework" means a comprehensive document developed for a content area consisting of overarching goals, content standards, and performance standards. The curriculum framework serves as a guide to local school districts as they create a curriculum unique to their needs.

"Developmentally appropriate materials" means materials that correlate to age, grade, or proficiency level of the student.

"False start" means the natural tendency of a speaker to restate what has just been uttered in order to correct, clarify, or improve upon it.

"Idiomatic expressions" means expressions in one language that cannot be directly translated into another language.

"Intangible" means examples of these types of products: a dance, an oral tale, a sacred ritual, a system of education.

"Interpersonal mode of communication" means communication that is characterized by active negotiation of meaning among individuals. Participants observe and monitor one another to see how their meanings and intentions are being communicated. Adjustments and clarifications can be made accordingly. The interpersonal mode is most obvious in conversation, but both the interpersonal and negotiated dimensions can be realized through reading and writing, such as the exchange of personal letters or of electronic mail messages. (ACTFL PERFORMANCE GUIDELINES FOR K-12 LEARNERS, 1998).

"Interpretive mode of communication" means communication that is focused on the appropriate cultural interpretation of meanings that occur in written and spoken form where there is no recourse to the active negotiation of meaning with the writer or the speaker. Such instances of "one-way" reading or listening include the cultural interpretation of texts, movies, radio and television broadcasts, and speeches. (ACTFL PERFORMANCE GUIDELINES FOR K-12 LEARNERS, 1998).

"Overarching goals" means relatively brief, very general statements that describe what students should know and be able to do. They should reflect the best and most recent theory and research in that area. They are more general than content standards, but provide a framework into which content standards can be organized.

"Performance standards" means standards that describe how well students perform the content standards. Performance standards gauge the degree to which content standards have been attained by individuals or groups, indicating the nature of the evidence and the quality of student performance on agreed-upon tasks or measurement instruments.

"Perspectives" means the attitudes, ideas, beliefs, viewpoints, or values of a cultural group.

"Presentational mode of communication" means communication that refers to the creation of messages in a manner that facilitates interpretation by members of the other culture where no direct opportunity for the active negotiation of meaning between members of the two cultures exists. Examples include the writing of reports and articles or the presentation of speeches. (ACTFL PERFORMANCE GUIDELINES FOR K-12 LEARNERS, 1998).
"Proficiency" means the ability to communicate effectively in everyday real-life situations in both oral and written forms in the cultures where the language is spoken.

"Recombination" means the ability to use previously learned vocabulary and structures to create new and unique expressions.

"Sequential language learning" means language learned in a continuous related order. In an articulated, sequential program, courses are scheduled every year and teachers follow a curriculum that spirals learning objectives from year to year for the purpose of the students attaining communicative proficiency in the language learned.

"Tangible" means these types of products: a toy, a painting, an article of clothing, a cathedral, a piece of literature, a pair of chopsticks.

"Target culture" means the culture of the people who speak the target language.

"Target language" means the language that is being taught or learned.

210:15-3-134. Language(s) awareness k - grade 3

(a) **Standard - communication.** Students will communicate in languages other than English.

1. Understand limited one- and two-word phrases, cognates, and social greetings.
2. Speak with one- or two-word phrases such as reciting numbers, colors, classroom objects, etc.
3. Develop careful listening skills.
4. Read isolated words when strongly supported by visuals.
5. Copy familiar words for labeling, identifying, and organizing purposes.

(b) **Standard - cultures.** Students will gain knowledge and understanding of other cultures.

1. Develop an awareness of other cultures.
2. Be able to identify areas of the world where the languages studied are spoken.
3. Participate in developmentally appropriate cultural activities such as games and songs.
4. Identify and reproduce distinctive cultural products of the culture of the languages studied.
5. Imitate culturally appropriate etiquette in verbal and nonverbal communication during greetings, leave takings and daily classroom interactions.

(c) **Standard - connections.** Students will connect with other disciplines and acquire information.

1. Use isolated words from other content areas (math, science, geography, etc.) in foreign language class activities.
2. View and listen to developmentally appropriate programs in the target language on topics from other content areas (math, science, geography, etc.).

(d) **Standard - comparisons.** Students will develop insight into the nature of language and culture.

1. Be aware of the differences among cultures and respect those differences.
2. Develop awareness that the world has many languages.
3. Compare holidays and celebrations.
4. Compare daily practices of people in the target cultures with their own.

(e) **Standard - communities.** Students will use the language both within and beyond the school setting.

1. Develop an interest in future language(s) study.
2. Explore the value of communicating in another language.
(3) Identify the target language in school and community environments.
(4) Participate in activities related to special events celebrated in the target culture(s).

210:15-3-135. Novice level range
(a) **Standard — interpersonal communication — speaking/writing.** Students will engage in conversations and/or written correspondence in which they provide and obtain information, express feelings and emotions, and exchange opinions.

(1) **Progress indicators.**
   (A) Initiate greetings, introductions, and leave-taking.
   (B) Ask and answer basic questions based on self and familiar material such as family members, personal belongings, school and leisure activities, location of people and objects, time, and weather.
   (C) Express personal needs, preferences, and feelings.
   (D) Initiate simple commands.

(2) **Performance guidelines.**
   (A) Use memorized phrases and short sentences when communicating.
   (B) Use words and phrases primarily as lexical items without awareness of grammatical structure.
   (C) Comprehend and produce vocabulary that is related to everyday objects and actions on a limited number of familiar topics.
   (D) Rely on visual aids, gestures and repetitions to enhance communication.
   (E) Imitate modeled words and phrases using intonation and pronunciation similar to that of the model.
   (F) Communicate with pauses, false starts, some recourse to their native language and make frequent errors when taking risks with the language.
   (G) Are understood primarily by those very accustomed to interacting with language learners.

(3) **Classroom examples.**
   (A) Make five statements about yourself to a partner who must then agree or disagree with your self-perception.
   (B) Rank sports by preference and using highly practiced language, tell a friend why you like or dislike certain sports, and ask him/her what sports he/she likes.
   (C) Ask/answer questions with a partner about the age and names of family members.
   (D) Write an e-mail to a friend listing the items in your school backpack, and then ask what is in his/her backpack.
   (E) Ask/answer questions with a friend about what you want to do this weekend, and at what time you want to do this.
   (F) Introduce friends and family members to others.

(b) **Standard — interpretive communication — listening/reading/Viewing.** Students will understand and interpret written and spoken language on a variety of topics.

(1) **Progress indicators.**
   (A) Comprehend simple daily communications on familiar topics, including simple instructions such as classroom procedures.
   (B) Understand key words in written material such as advertisements, schedules, and menus, etc.
(C) Comprehend the main idea of selected, age-appropriate authentic recordings and broadcasts and videos.
(D) Comprehend the main idea of selected, short, authentic written materials that use familiar vocabulary and language structures.
(E) Respond to simple commands, familiar vocabulary, and language structures.

(2) **Performance guidelines.**
(A) Understand short, simple conversations and narratives (live or recorded), within highly predictable and familiar contexts.
(B) Recognize highly predictable key words and phrases and familiar structures by using contextual clues with strong visual support.
(C) Rely on personal background experience to assist in comprehension.
(D) Rely on repetition for understanding.
(E) Determine meaning by recognition of cognates, prefixes, suffixes, and thematic vocabulary.

(3) **Classroom examples.**
(A) Recognize key words on store fronts and identify the type of store or services provided (e.g., book store, bakery, video store).
(B) Read and understand simple official forms (e.g., hotel registration, passport and visa applications).
(C) Listen to your teacher tell you to place certain items in different parts of the classroom, and respond accordingly.
(D) Listen to a patient explaining his/her symptoms of illness, including mention of various body parts, to a doctor and take simple notes listing what problems the patient is having.
(E) Read advertisements from authentic magazines and list all of the cognates found in the ads.
(F) Listen to authentic songs and write the main ideas expressed.
(G) Listen to a conversation of two native speakers. Answer simple comprehension questions in English.
(H) Listen to a simple story several times. Then draw what happened in the story.

(c) **Standard — presentational communication — speaking/writing.** Students will present information, concepts, and ideas to an audience of listeners or readers on a variety of topics.

(1) **Progress indicators.**
(A) Describe in written or spoken format basic information, such as self, family members and friends, events, interests, school activities, and personal belongings.
(B) Give simple commands and make requests of another person or group.
(C) Retell a simple story using familiar vocabulary and language structures.
(D) Write personal journals and send brief messages to friends.
(E) Dramatize student-created and/or authentic songs, short poems, skits or dialogs.

(2) **Performance guidelines.**
(A) Use memorized, short phrases and sentences in oral and written presentations based on familiar material.
(B) Demonstrate some accuracy in pronunciation and intonation when presenting well-rehearsed material on familiar topics.
(C) Rely heavily on repetition, gestures, facial expressions and visual aids to communicate their message orally.
(D) Reproduce familiar material in written presentations.
(E) Communicate with pauses, false starts, some recourse to their native language, and make frequent errors when taking risks with the language and attempting to produce language beyond the memorized.
(F) Are understood primarily by those very accustomed to interacting with language learners.

(3) Classroom examples.
(A) Give short, simple directions to a person about how to get to the grocery store from your school parking lot.
(B) Write a thank-you postcard to your grandmother/aunt/brother for a birthday gift that you received.
(C) Prepare short messages in video or audio formats to be sent to your peers in the target culture on the things that you like to do.
(D) Design a poster for a nutrition class showing foods that should and should not be eaten. Present it to the class in the target language.
(E) Use a highly practiced vocabulary and visuals, retell a children’s story to the class or group.

(d) Standard — practices of culture. Students will demonstrate an understanding of the relationship between the practices and perspectives of the culture(s) studied.

(1) Progress indicators.
(A) Imitate patterns of behavior such as greetings or gestures used in formal and informal settings in the target culture.
(B) Identify some customs and traditions such as celebrations and holiday practices of the target culture.
(C) Participate in cultural activities such as games, songs, and dances of the target culture.
(D) Identify some viewpoints of the target culture, such as those relating to time, school, transportation, pastimes, and the roles of family members.
(E) Recognize and explore the process of stereotyping other cultures.

(2) Performance guidelines.
(A) Imitate the use of culturally appropriate vocabulary, idiomatic expressions, and nonverbal behaviors modeled by the teacher.
(B) Use memorized phrases and short sentences when communicating in spoken or written formats.
(C) Rely on visual aids, gestures, and repetition to enhance comprehensibility.
(D) Comprehend written and spoken language better when content has been previously presented in an oral and/or visual context.
(E) Understand a story line or event in written or oral contexts that reflect a cultural background similar to their own.
(F) Use the student’s native language only when the investigation of cultural perspectives extends beyond the novice proficiency range.

(3) Classroom examples.
(A) Collaborate in creating a class book with illustrations and written descriptions of various aspects of daily life in the target cultures.
(B) Write your key-pal with lists of personal interests (the contents of your backpack, the programs you watch on TV, or a list of your school holidays) and ask your key-pal to respond with lists of personal interests.
(C) Identify and illustrate or perform a traditional custom or celebration.
(D) Initiate and respond to formal and informal telephone calls.

(e) Standard-products of culture. Students will demonstrate an understanding of the relationship between the products and perspectives of the culture(s) studied.

(1) Progress indicators.
(A) Identify objects, images, and symbols, such as flags, currency, food, dress, and toys, that are commonly used in the target culture.
(B) Identify some major contributions and historical figures from the target culture, including contributions in science, mathematics, government, and fine arts.
(C) Identify some historical and contemporary influences from the target culture that are significant in the U.S. culture, such as explorers and settlers, music and sports.
(D) Identify countries, regions, and geographic features where the target language is spoken.
(E) Extract samples of the culture's perspectives from popular media in the target culture.

(2) Performance guidelines.
(A) Use memorized phrases and short sentences when communicating in spoken or written formats about cultural products.
(B) Rely on visual aids, gestures, and repetition to enhance comprehensibility about cultural products.
(C) Comprehend written and spoken language about cultural products better when content has been previously presented in an oral and/or visual context.
(D) Understand a story line or event in written or oral contexts that reflects a cultural background similar to their own.
(E) Use the student's native language only when the investigation of cultural perspectives extends beyond the novice proficiency range.

(3) Classroom examples.
(A) Recite a poem/sing a song of the target language.
(B) Demonstrate understanding of a story, folk tale, or legend by answering questions or retelling the story with or without visuals.
(C) Listen to the teacher's description of the physical attributes and/or contributions of a famous person of the target culture and identify who it is.

(f) Standard-interdisciplinary studies. Students will reinforce and further their knowledge of other content areas through the foreign language.

(1) Progress indicators.
(A) Identify and/or use selected information and skills from other content areas (such as the arts, health, social studies, sciences, mathematics, and English) in the target language classroom.
(B) Using authentic target language resources, (such as the Internet, books, magazines), identify and/or use selected information to reinforce or expand learning in other content area classrooms (the arts, health, social studies, sciences, mathematics, English, etc.).

(2) Performance guidelines.
(A) Use memorized phrases and short sentences when communicating about selected content areas.

(B) Rely on visual aids, gestures and repetitions to enhance communication about other content areas.

(C) Understand short, simple conversations and narratives about other content areas (live or recorded), within highly predictable and familiar contexts.

(D) Recognize highly predictable key words and phrases and familiar structures by using contextual clues with strong visual support.

(E) Rely on personal background experience to assist in comprehension.

(F) Rely on repetition for understanding.

(G) Determine meaning by recognition of cognates, prefixes, suffixes and thematic vocabulary.

(3) **Classroom examples.**

   (A) Use currency of the target culture to make change using bills and coins.
   (B) Prepare a healthy menu using typical foods of the target culture.
   (C) Use authentic instruments of the target culture to explore music and rhythms.
   (D) Learn the solar system, parts of a plant, life cycle of a butterfly.

(g) **Standard – distinctive Viewpoints.** Students will acquire information and recognize the distinctive viewpoints that are only available through the foreign language and its cultures.

(1) **Progress indicators.**

   (A) Extract information about the target culture from selected authentic sources (such as the Internet, books, magazines).
   (B) Use authentic target language sources to gain insight about the distinctive perspectives of the target culture.

(2) **Performance guidelines.**

   (A) Understand general oral and written information when enhanced by illustrations within highly predictable contexts.
   (B) Increase their comprehension by looking for and recognizing key words or phrases.
   (C) Rely on personal background information to help in understanding something they read or hear.
   (D) Rely on memorized phrases and short sentences to describe distinctive viewpoints of the target culture.
   (E) Use the student's native language only when the discussion of distinctive viewpoints extends beyond the novice proficiency range.

(3) **Classroom examples.**

   (A) With several other students, act out familiar folktales, fables, or legends known to children of the target culture while another student reads the story aloud.
   (B) Use the target language to describe an animal or plant that is indigenous to a particular region or country of the target culture.
   (C) Use authentic sources to identify the current popular products of the target culture.

(h) **Standard – language comparisons.** Students demonstrate understanding of the nature of language through comparisons of the language studied with their own.

(1) **Progress indicators.**

   (A) Recognize cognates and borrowed words and be aware of their usefulness in comprehending language.
(B) Identify and compare the sound and writing systems of the target language with their own, including stress, intonation, punctuation, etc.
(C) Identify basic grammatical structures of the language studied and compare these structures to their own language, including word order, gender, agreement, etc.
(D) Recognize identified idiomatic expressions that cannot be directly translated into their own language.

(2) Performance guidelines.
(A) Rely primarily on memorized phrases or short sentences when describing language structure comparisons between cultures.
(B) Rely heavily on visuals to get ideas across to the audience.
(C) Rely on personal background information to help in understanding similarities and differences of grammatical structures between the cultures.

(3) Classroom examples.
(A) Create a graphic organizer to compare language structures in English and the target language.
(B) Discuss the variations in vocabulary in English (apartment/flat, elevator/lift) as well as the variations in vocabulary among target language countries.
(C) Listen as the teacher models how to express language structures (e.g., word order, number and gender agreement, question formation) in the target language and identify how it is different from English.

(i) Standard—culture comparisons. Students demonstrate understanding of the concept of culture through comparisons of the cultures studied and their own.

(1) Progress indicators.
(A) Identify similarities and differences in verbal and nonverbal behavior between cultures.
(B) Recognize cross-cultural similarities and differences in the practices of the culture studied.
(C) Identify cross-cultural similarities and differences in the products of the culture studied.
(D) Recognize cross-cultural similarities and differences in the perspectives within the target culture.

(2) Performance guidelines.
(A) Rely primarily on memorized phrases or short sentences when describing comparisons between cultures.
(B) Rely heavily on visuals to get ideas across to the audience.
(C) Rely on personal background information to help in understanding cultural similarities and differences between the culture studied and their own.

(3) Classroom examples.
(A) Follow the teacher’s model to practice the table manners of the target culture and compare them with the student’s own culture.
(B) Identify the significance of signs and symbols in the target culture.
(C) Make a Venn diagram comparing a celebration in the U.S. with the same or equivalent celebration in the target culture.
(D) Compare the greetings, leave takings, and the use of personal space in the target culture and in the U.S.
(E) — Looking at pictures of restaurant scenes in the U.S. and the target country, compare similarities and differences of the scenes.

(j) — **Standard — school and community.** Students will use the language both within and beyond the school setting.

(1) — **Progress indicators.**

(A) — Identify professions/occupations which are enhanced by proficiency in another language.
(B) — Practice oral or written use of the foreign language with people outside the classrooms.
(C) — Communicate on a personal level with speakers of the language via short letters, e-mail, audio, and videotapes.
(D) — Produce short skits, stories, poems, multimedia shows, etc., and present their works at school and/or in the community.

(2) — **Performance guidelines.**

(A) — Use memorized phrases or short sentences with very familiar topics.
(B) — Write simple tasks, such as short messages or notes.
(C) — Be accurate in pronunciation when presenting well-rehearsed materials.
(D) — Understand general information when enhanced by visuals or gestures.

(3) — **Classroom examples.**

(A) — Keep an in-class log or chart of personal encounters with the target language outside of the school.
(B) — Establish a pen-pal/key-pal correspondence with someone from the target culture.
(C) — Locate/visit stores within the community that cater to the target culture.
(D) — Listen to radio broadcasts and list recognizable words from the target culture.
(E) — Teach basic expressions and level-appropriate songs and games from the target culture to children in a neighboring elementary or preschool or at home to members of the family.

(k) — **Standard — personal enrichment.** Students will show evidence of becoming lifelong learners by using the language for personal enjoyment and enrichment.

(1) — **Progress indicators.**

(A) — Demonstrate a willingness to interact with native speakers.
(B) — Discover and explore a variety of entertainment sources representative of the target culture.
(C) — Identify current issues of interest within the target culture.
(D) — Discover and explore samples of art, literature, music, etc., representative of the target culture.

(2) — **Performance guidelines.**

(A) — Be understood primarily by those very accustomed to interacting with language learners.
(B) — Exhibit increased comprehension when constructing meaning through recognition of key words or phrases embedded in familiar contexts.
(C) — Rely heavily on visuals to enhance comprehensibility in both oral and written presentations.
(D) — Use primarily memorized phrases and short sentences during highly predictable interactions on very familiar topics.

(3) — **Classroom examples.**
(A) Use Web sites in the target language to make plans for a vacation in the target culture.
(B) Select an audio clip of favorite music in the target language and share it with other members of the class.
(C) Attend cultural events of the target culture within the community.
(D) Visit art exhibits of artists from the target culture.
(E) Learn a dance of the target culture and host a dance with music only from the target culture.

210:15-3-136. Intermediate level range
(a) Standard—interpersonal communication—speaking/writing. Students will engage in conversations and/or written correspondence in which they provide and obtain information, express feelings and emotions, and exchange opinions.
(1) Progress indicators.
   (A) Sustain a conversation on selected topics about themselves and others, using details and descriptions.
   (B) Ask and answer a variety of questions, giving reasons for their answers.
   (C) Express personal preferences and feelings with some explanation.
   (D) Initiate a series of commands.
(2) Performance guidelines.
   (A) Use strings of sentences when communicating on familiar topics.
   (B) Recombine learned vocabulary and structures to express their own thoughts within familiar contexts.
   (C) Use some paraphrasing and can find another way to express an idea/term to avoid a breakdown in communication, and can ask for clarification.
   (D) May mispronounce words in new context or words being read for the first time.
   (E) Continue to communicate with false starts and pause frequently to search for words when interacting with others.
   (F) Are understood by those accustomed to interacting with language learners.
   (G) Demonstrate control of present time and show evidence of some control of other time frames.
(3) Classroom examples.
   (A) Write an apology (e.g., for missing a birthday, date, hurting someone's feelings)
   (B) Tell what you or others will be doing five years from now and ask someone else about his/her future plans.
   (C) Give instructions to someone to do something (how to study for a test, what to do in case of an emergency).
(b) Standard—interpretive—communication—listening/reading/Viewing. Students will understand and interpret written and spoken language on a variety of topics.
(1) Progress indicators.
   (A) Understand spoken language that incorporates familiar vocabulary and structures including high frequency idioms.
   (B) Understand more detailed information in written advertisements, schedules, and menus.
(C) Comprehend the main idea and some supporting ideas of selected authentic materials including recordings, broadcasts, videos, and Internet resources.
(D) Comprehend the main idea and some supporting ideas of selected authentic written materials such as short stories, narratives, advertisements, and brochures on topics of personal interest.
(E) Respond to a series of commands.

2. **Performance guidelines.**
   
   (A) Understand longer, more complex conversations and narratives as well as recorded material in familiar contexts.
   (B) Identify main ideas and some specific information on a limited number of predictable topics.
   (C) Use background knowledge to comprehend simple stories and personal correspondence.
   (D) Depend on the use of paraphrase and restatement in order to understand the message.
   (E) Infer meaning of some unfamiliar words in order to understand the gist of an oral or written text.

3. **Classroom examples.**
   
   (A) Read and understand the directions for assembling a child's toy.
   (B) Read and understand the general meaning of a movie review.
   (C) Listen to and understand a native speaker describe a significant life event (e.g., obtaining his/her driving license, important sporting event, passing an exam, getting a job).
   (D) Listen to and understand a sequence of directions about what to do during a tornado.

(c) **Standard—presentational communication—speaking and writing.** Students will present information, concepts, and ideas to an audience of listeners or readers on a variety of topics.

1. **Progress indicators.**
   
   (A) Describe in written or spoken format a short presentation on familiar topics (e.g., school, community, or personal experiences).
   (B) Give directions to someone in order to complete a multistep task.
   (C) Recount an event incorporating some description and detail.
   (D) Write one-page compositions and letters.
   (E) Present student-created and/or authentic short plays, stories, skits, poems and songs.

2. **Performance guidelines.**
   
   (A) Express their own thoughts, describe and narrate, using sentences and strings of sentences in oral and written presentations about familiar topics.
   (B) Communicate oral and written information with sufficient accuracy that listeners and readers understand most of what is presented.
   (C) Make occasional use of paraphrasing and can find another way to express an idea/term to avoid a breakdown in communication, and make efforts at self-correction.
   (D) Supplement their basic vocabulary for both oral and written presentations with expressions acquired from other sources such as dictionaries.
   (E) Continue to pause to search for words and shows some interference from the native language when attempting to present less familiar material.
(F) Use pronunciation and intonation patterns that can be understood by those accustomed to interacting with language learners.
(G) Formulate oral and written presentations primarily in present time but also, with preparation, in past and future time.

(3) **Classroom examples.**
(A) Give excuses or explanations for why you were late for class or why you did not do your work.
(B) Retell a familiar fairy tale or short story.
(C) Write a diary entry about an event that happened in the past, including background information and circumstances.

(d) **Standard — practices of culture.** Students will demonstrate an understanding of the relationship between the practices and perspectives of the culture studied.

(1) **Progress indicators.**
(A) Interact with respect using culturally appropriate patterns of behavior in everyday informal and social situations.
(B) Explain in simple terms the reasons for different traditions and customs of the target culture.
(C) Experience cultural and social activities common to a student of similar age in the target culture such as school life, sports, music and other entertainment.
(D) Identify and discuss perspectives typically associated with the target culture's business practices.
(E) Discuss some commonly held generalizations about the target culture.

(2) **Performance guidelines.**
(A) Begin to use culturally appropriate vocabulary, idiomatic expressions, and nonverbal behaviors outside the memorized context.
(B) Express their own thoughts, describe and narrate, using sentences and strings of sentences in oral and written presentations about cultural practices.
(C) Demonstrate some cultural knowledge in oral and written presentations.
(D) Recognize the reflections of practices, products, and perspectives of the target culture in oral and written texts.
(E) Use knowledge of their own culture and that of the target culture to communicate more accurately about cultural practices.
(F) Supplement their basic vocabulary about cultural practices from other sources such as dictionaries.
(G) Use the student's native language when the investigation of cultural perspectives extends beyond the Intermediate Level Range.

(3) **Classroom examples.**
(A) Prepare messages on video or audio tape to be sent to peers in the target culture on topics of shared personal interest in their daily lives at home or at school.
(B) Teach the class how to play a game/sport of the target country.
(C) Prepare a presentation (written report, poem, dramatization) which describes ways in which the learner's views about the target culture have changed over time.
(D) View a video depicting a cultural celebration and write a short letter in the language describing it and explaining its origin.
(E) Using the Internet, research information about several common businesses in the
target country and document such things as store hours, requirements for employment,
and acceptable methods of payments.

(e) **Standard - products of culture.** Students will demonstrate an understanding of the
relationship between the products and perspectives of the culture studied.

1. **Progress indicators.**
   (A) Explain the significance of objects, images, and symbols, and products of the target
culture.
   (B) Describe major contributions and historical figures from the target culture including
contributions in science, mathematics, government, and fine arts.
   (C) Identify the influence of the target culture on the products of the U.S.
   (D) Explain the impact of the target country’s geography on daily life in the target
culture.
   (E) Identify the target culture’s basic perspectives in its art, literature, music, dance, etc.

2. **Performance guidelines.**
   (A) Express their own thoughts, describe and narrate, using sentences and strings of
sentences in oral and written presentations about cultural products.
   (B) Recognize the reflections of practices, products, and perspectives of the target
culture in oral and written texts.
   (C) Demonstrate some cultural knowledge about cultural products in oral and written
presentations.
   (D) Use the student’s native language when the investigation of cultural perspectives
extends beyond the intermediate proficiency range.

3. **Classroom examples.**
   (A) After reading about the lives of famous people of the target culture, the learner will
summarize in writing and present orally information about one of the famous people.
   (B) Create and explain a visual display which illustrates the influence of the target
culture on the student’s home culture.
   (C) Develop a timeline which illustrates major contributions of the culture to the world
community.
   (D) Write a letter describing how to get to a specific place in the target culture,
including means of transportation, directions, landmarks, and distance.
   (E) Paint an animal of your choice in the style of an artist from the target country.
   (F) Research and report on the symbolism found in the colors and symbols on the
national flag of the target culture.

(f) **Standard - interdisciplinary studies.** Students will reinforce and further their knowledge
of other content areas through the foreign language.

1. **Progress indicators.**
   (A) Transfer and apply information and skills from other content areas (the arts, health,
social studies, sciences, mathematics, English, etc.) to the target language classroom.
   (B) Apply the information gathered through target language resources in other content
area classrooms (such as the arts, health, social studies, sciences, mathematics, English)
in order to supplement learning.

2. **Performance guidelines.**
   (A) Use strings of sentences when communicating in oral or written contexts on
familiar topics in selected content areas.
(B) Recombine learned vocabulary and structures to express their own thoughts within familiar contexts.
(C) Understand longer, more complex conversations and narratives as well as recorded material in familiar contexts about selected content areas.
(D) Identify main ideas and some specific information on a limited number of predictable topics in selected content areas.

(3) Classroom examples.
(A) Explore the measuring system used in the target culture.
(B) Present a dramatization of an historical event.
(C) Prepare, conduct, and record results of a science experiment in the target language.
(D) Use weather reports in newspapers to compare temperatures in Fahrenheit and Celsius.
(E) Explain the historical reason for the origin or the geographical names found in the United States that are derived from the target language.

(g) Standard — distinctive Viewpoints. Students will acquire information and recognize the distinctive viewpoints that are only available through the foreign language and its cultures.

(1) Progress indicators.
(A) Using authentic target language sources, (such as the Internet, books and magazines) acquire and apply information about the target culture.
(B) Use authentic sources to explore the distinctive perspectives of the foreign culture.

(2) Performance guidelines.
(A) Understand longer, more complex oral and written information in familiar contexts.
(B) Identify main ideas and some specific information on a limited number of topics found in the target culture.
(C) Determine meaning by using contextual clues.
(D) Are helped by the use of redundancy, paraphrase, and restatement in order to understand the message.
(E) Use strings of sentences to describe distinctive viewpoints of the target culture.
(F) Use the student's native language only when the discussion of distinctive viewpoints extends beyond the Intermediate Level Range.

(3) Classroom examples.
(A) Using a Web site for a department store in the target culture, identify the popular product lines you might not find in the U.S.
(B) Apply the grammatical knowledge acquired in the foreign language to achieve a better understanding of English grammatical structures.
(C) Show how the works of artists in the target culture have influenced the arts in the home culture.

(h) Standard — language comparisons. Students demonstrate understanding of the nature of language through comparisons of the language studied with their own.

(1) Progress indicators.
(A) Explore the historical and cultural reasons for cognates and borrowed words.
(B) Use knowledge of sound and writing systems (including stress, intonation, punctuation, etc.) to communicate on topics of personal interest.
(C) Contrast identified structural patterns of the language studied (such as tense, gender, word order, agreement) to structural patterns in their own language.
(D) Use appropriate idiomatic expressions in limited settings.
(2) **Performance guidelines.**

(A) Understand general concepts about language comparisons.

(B) Express their own thoughts using sentences/strings of sentences when describing language structure comparisons.

(C) Rely on paraphrase and restatement in order to understand or communicate about language structure comparisons between cultures.

(3) **Classroom examples.**

(A) Compare the target language and English titles for movies originating in the U.S. to determine whether the title in the target language is a literal translation of the English title, or if the title in the target language is meant to be a representation of the movie content.

(B) Identify terms of respect and terms of affection used in the target language and compare them to terms used in English.

(C) Discuss the various command forms of the target language compared with only one command form of English.

(D) Discuss the idea of past tense in English and compare it to the past tense(s) of the target language.

(i) **Standard — culture comparisons.** Students demonstrate understanding of the concept of culture through comparisons of the cultures studied and their own.

(1) **Progress indicators.**

(A) Give simple descriptions of the similarities and differences in verbal and non-verbal behavior between cultures.

(B) Give basic descriptions of cross-cultural similarities and differences in the practices of the target culture.

(C) Give basic descriptions of cross-cultural similarities and differences in the products of the target culture.

(D) Give simple descriptions of cross-cultural similarities and differences in the perspectives of the target culture.

(2) **Performance guidelines.**

(A) Express their own thoughts using sentences/strings of sentences when describing cultural comparisons between the culture studied and their own.

(B) Understand general concepts about cultural similarities and differences.

(C) Rely on paraphrase and restatement in order to understand or communicate about cross-cultural comparisons.

(3) **Classroom examples.**

(A) Listen to a song always associated with a particular celebration in the target culture and compare it to the song sung in the U.S. for the same celebration.

(B) Use Web sites, magazines, movies, and television programs to collect information about the favorite stars in the target culture. Compare them with the favorites in the U.S.

(C) Compare the symbols/landmarks of the American culture to those found in the target culture.

(j) **Standard — school and community.** Students will use the language both within and beyond the school setting.

(1) **Progress indicators.**
(A) Investigate and/or participate in activities where the ability to communicate in a second language is beneficial, such as local business visitations, exchange programs, and sister-city projects.
(B) Communicate with others who speak or have a working knowledge of the language about a variety of topics, such as sports, hobbies, or current events.
(C) Establish contact with a native speaker through Internet, e-mail, personal travel, etc.
(D) Take part in language-related activities to benefit their school and/or community such as tutoring, interpreting, or public performance.

(2) Performance guidelines.
(A) Express their own thoughts using sentences/strings of sentences on familiar topics.
(B) Demonstrate control of present time and some control of other time frames.
(C) Describe and narrate in oral and written presentations on familiar topics.
(D) Understand main ideas and some specific information on a limited number of topics.

(3) Classroom examples.
(A) Use the target language to communicate with speakers of the target culture while on community service projects/trips.
(B) Listen to personal accounts from people who speak more than one language.
(C) Keep a log of personal encounters with the target language in the school and community.
(D) Research topics of interest in magazines, newspapers or on the Web.

(k) Standard — personal enrichment. Students will show evidence of becoming lifelong learners by using the language for personal enjoyment and enrichment.

(1) Progress indicators.
(A) Exchange information with native speakers about topics of personal interest.
(B) Explore various target language resources to expand their knowledge of individual hobbies or interests.
(C) Research current issues of interest using various foreign language/culture sources.
(D) Demonstrate extracurricular use of target language media as a source of entertainment.

(2) Performance guidelines.
(A) Are understood by those very accustomed to interacting with language learners.
(B) Identify main ideas and some specific information on a limited number of topics found in the products of the target culture such as those presented on TV, radio, video, or live and computer-generated presentations, although comprehension may be uneven.
(C) Rely on the use of paraphrase and restatement in order to enhance comprehensibility in both oral and written presentations.
(D) Express their own thoughts, describe and narrate, using sentences and strings of sentences, in oral and written presentations on familiar topics.

(3) Classroom examples.
(A) Students will identify their "ideal home" and then use a Web site of homes for sale in the target culture to find a good match.
(B) View videos, television programs, and/or movies of interest in the target language.
(C) Invite/interact with classmates who are native speakers of the target language to school functions and interact with them in the target language.
(D) Attend a service or meeting conducted in the target language.
210:15-3-137. Pre-advanced level range

(a) **Standard – interpersonal communication – speaking/writing.** Students will engage in conversations, and/or written correspondence in which they provide and obtain information, express feelings and emotions, and exchange opinions.

1. **Progress indicators.**
   (A) Initiate, sustain and conclude communication on a variety of topics.
   (B) Ask and answer a variety of questions that require follow-up questions and responses for more information.
   (C) Support personal preferences, feelings, opinions with more complete explanation.
   (D) Persuade another person to do something.

2. **Performance guidelines.**
   (A) Use connected sentences and/or paragraphs when communicating on a variety of familiar topics, making use of transition words and phrases.
   (B) Interact with others in more complicated or unfamiliar contexts using vocabulary from a variety of topics.
   (C) Ask for clarification and suggest alternative words to ensure understanding.
   (D) Be able to use rules of pronunciation to correctly pronounce new words.
   (E) Use language more confidently and with fewer pauses.
   (F) Be understood by native speakers unaccustomed to interacting with language learners.
   (G) Demonstrate sustained control of basic structures in present time and partial control of more complex structures and time frames in the past and future.

3. **Classroom examples.**
   (A) In a panel discussion, discuss what constitutes a healthy diet and its impact on health.
   (B) Introduce yourself to an incoming freshman and give him/her pointers on how to survive at your school.
   (C) With three or four classmates debate the issue of whether family life is more or less important in today’s world.

(b) **Standard – interpretative communication – listening/reading/Viewing.** Students will understand and interpret written and spoken language on a variety of topics.

1. **Progress indicators.**
   (A) Understand spoken language that incorporates more advanced vocabulary and structures, including idiomatic expressions.
   (B) Understand more complex written materials in both concrete and abstract contexts.
   (C) Comprehend the main ideas and supporting ideas of oral and written presentations, and selected authentic materials, including videos, radio and television broadcasts, and Internet resources.
   (D) Analyze the main elements of authentic literary texts.
   (E) Respond appropriately to compound directions, instructions, and commands.
   (F) Research and synthesize information from a variety of sources.

2. **Performance guidelines.**
   (A) Demonstrate growing independence as a reader or listener and generally comprehend what they read and hear without relying solely on formally learned vocabulary.
(B) Understand main ideas and significant details on a variety of topics.
(C) Deduce meaning in unfamiliar language passages by classifying words or concepts according to word order or grammatical use.
(D) Apply rules of language to construct meaning from oral and written text.
(E) Move beyond literal comprehension toward more critical reading and listening.

(3) Classroom examples.
(A) Read and understand an article in popular magazines and be able to give a brief global summary and find specific facts.
(B) As the teacher describes the scene in a well-known painting, draw as you visualize it.
(C) Listen to and understand excerpts from a film/play and demonstrate comprehension of plot and character traits.

(c) Standard — presentational communication — speaking/writing. Students will present information, concepts, and ideas to an audience of listeners or readers on a variety of topics.

(1) Progress indicators.
(A) Describe in written or spoken format a presentation on a topic of personal interest.
(B) Give a series of directions to someone, coaching the person in order to complete the tasks.
(C) Recount an event with substantive description and detail.
(D) Write formal compositions and letters for a variety of purposes.
(E) Present student-created works and excerpts of authentic literature.

(2) Performance guidelines.
(A) Report, narrate, and describe, using paragraph length and longer forms of discourse in oral and written presentations on topics of personal, school, and community interest.
(B) Demonstrate conscious efforts at correct formulation and self-correction by use of self-editing.
(C) Make use of simplification, reformulation, and circumlocution to enhance written and oral communication.
(D) Demonstrate control of an extensive vocabulary from a variety of topics.
(E) Use language with ease and with few pauses.
(F) Make use of a variety of resource materials and presentation methods to enhance communication.
(G) Possibly show some inaccuracies and interference from the native language when presentations deal with multiple time frames.

(3) Classroom examples.
(A) Narrate an accident that you have experienced or witnessed.
(B) Write and perform an original dialog based on two characters from a film or text.
(C) Write a complaint about a familiar topic (dress code, food in the cafeteria, choice of course offerings) and give suggestions for changes.
(D) Speculate about what life would be like elsewhere (on the moon, under the sea, in the target culture).
(E) Present yourself in a job interview, explain your qualifications, why you want the job, why you would be better than other applicants, etc. (This presentation may be videotaped.)

(d) Standard — practices of culture. Students will demonstrate an understanding of the relationship between the practices and perspectives of the culture(s) studied.
(1) **Progress indicators.**
(A) Interact according to the social and cultural requirements of most social and some formal contexts.
(B) Discuss inappropriately used verbal and nonverbal expressions and analyze the cultural implications.
(C) Participate in and analyze cultural events.
(D) Exhibit deeper knowledge of historical background of the target culture that explain their cultural practices.
(E) Analyze some commonly held generalizations about the target culture.

(2) **Performance guidelines.**
(A) Use language increasingly reflective of authentic cultural practices and perspectives.
(B) Describe cultural practices by using connected narrative and descriptive sentences in present and other time frames.
(C) Use culturally appropriate vocabulary, idioms, and nonverbal behaviors in an authentic situation.
(D) Integrate culturally embedded words, phrases, and idioms in everyday communication.
(E) Communicate with a fairly high degree of facility when making oral and written presentations about well-researched topics of cultural practices.
(F) Apply understanding of cultural practices to enhance comprehension of oral and written texts.

(3) **Classroom examples.**
(A) Read a short passage about the origins of a custom or cultural celebration in the language and do a presentation on it using the language.
(B) Report on information gained from authentic texts (newspapers, magazines, letters, e-mail) on how people in the target culture view the role of the U.S. in world affairs.
(C) Write a report giving examples of how media and texts in the target language reflect patterns of behavior, beliefs, and attitudes.

(e) **Standard – products of culture.** Students will demonstrate an understanding of the relationship between the products and perspectives of the culture(s) studied.

(1) **Progress indicators.**
(A) Research the cultural significance of objects, images, and symbols of the target culture.
(B) Describe the target culture through its visual arts, architecture, literature, and music.
(C) Describe the role and significance of the contributions of the target culture in today's world.
(D) Research an environmental issue from the target country and use the language to tell/write of its impact on the target country.
(E) Identify some of the target language's literary masterpieces and authors and explore the cultural perspectives representative of their work.

(2) **Performance guidelines.**
(A) Describe cultural products by using connected narrative and descriptive sentences in present and other time frames.
(B) Integrate culturally embedded words, phrases, and idioms in everyday communication.
(C) Use language increasingly reflective of authentic cultural products and perspectives.
(D) Communicate with a fairly high degree of facility when making oral and written presentations about well-researched topics on cultural products.

(3) Classroom examples.
(A) You are a tour guide in a tourist area of the target country. Give information about the sites to the group of tourists as the tour bus drives through the area.
(B) While participating in a conversation with peers and/or adults, exchange information/opinions about causes and consequences of an historical event in the target language country.
(C) After reading a literary text (short story, poem, novel, drama or viewing a film in the target language), participate in a panel presentation and share viewpoints/opinions about the text/film.
(D) Prepare a display and orally present information about commercial trade patterns between the home and target culture.

(f) Standard - interdisciplinary studies. Students will reinforce and further their knowledge of other content areas through the foreign language.

(1) Progress indicators.
(A) Interpret information and apply skills from other content areas (such as the arts, health, social studies, sciences, mathematics, English) to the target language classroom.
(B) Locate target language resources in order to analyze and synthesize information for use in other content areas (such as the arts, health, social studies, sciences, mathematics, English).

(2) Performance guidelines.
(A) Use connected sentences and/or paragraphs when communicating on a variety of familiar topics studied in selected content areas.
(B) Interact with others on information learned in other selected content areas.
(C) Understand main ideas and significant details on topics studied in selected content areas.
(D) Make use of a variety of resource materials and presentation methods to enhance communication.

(3) Classroom examples.
(A) Measure and record distances, weights, and capacities of a variety of objects using the measuring system of the target cultures.
(B) Make a display and orally present information about careers that require communicative competence in the target language.
(C) Research the importance of a major historical event in the target culture.
(D) Read newspaper accounts of the same event in English and the target language to compare the treatment of the event.
(E) Demonstrate understanding of maps, graphs, charts, and other visuals by responding to questions that require the learner to identify patterns, note trends, and draw conclusions.

(g) Standard - distinctive Viewpoints. Students will acquire information and recognize the distinctive viewpoints that are only available through the foreign language and its cultures.

(1) Progress indicators.
(A) Synthesize information about the target culture, using authentic sources.
(B) Use authentic sources to analyze the distinctive perspectives of the target culture.

(2) **Performance guidelines.**

(A) Understand more complex written materials in both concrete and abstract contexts.
(B) Apply rules of language to construct meaning from oral and written text.
(C) Comprehend the main ideas and supporting ideas of oral and written presentations.
(D) Use connected sentences and/or paragraphs when communicating about distinctive viewpoints of the target culture.

(3) **Classroom examples.**

(A) Access the Internet to find information about AIDS in the target culture.
(B) Using authentic popular music, identify cultural perspectives associated with the target culture.
(C) Use information gained from authentic texts to develop a timeline which illustrates major contributions of the target culture to the world community.
(D) Research the interpretation of the same historical event from the home culture and the target cultures' points of view.

(h) **Standard - language comparisons.** Students demonstrate understanding of the nature of language through comparisons of the language studied with their own.

(1) **Progress indicators.**

(A) Have some insight into the origins of cognates and borrowed words and speculate about what changes might occur in the future.
(B) Apply knowledge of sound and writing systems in spontaneous communicative situations.
(C) Use knowledge of structural patterns of their own language and the target language for effective communication.
(D) Apply idiomatic expression in a variety of social contexts.

(2) **Performance guidelines.**

(A) Use connected sentences and/or paragraphs when communicating about basic language comparisons between cultures.
(B) Use more specialized and precise vocabulary when describing language structure comparisons.
(C) Use background knowledge to deduce meaning and to understand complex information about language structures.
(D) Be able to clarify details about language structures by asking questions.

(3) **Classroom examples.**

(A) Compare how people express apologies, condolences, praise, reprimands, requests, etc., in the target language and English.
(B) Analyze the differences among grammatical structures in English and the target language.
(C) Explore authentic materials to find new words adapted from English.
(D) Role play a shopping situation in a foreign marketplace using appropriate idiomatic expressions.

(i) **Standard - culture comparisons.** Students demonstrate understanding of the concept of culture through comparisons of the cultures studied and their own.

(1) **Progress indicators.**

(A) Apply appropriate verbal and nonverbal behavior between cultures.
(B) Analyze cross-cultural similarities and differences in the practices of the culture studied.
(C) Analyze cross-cultural similarities and differences in the products of the culture studied.
(D) Analyze and infer cross-cultural similarities and differences in the perspectives of the culture studied.

(2) **Performance guidelines.**
(A) Use connected sentences and/or paragraphs when communicating about similarities and differences between the culture studied and their own.
(B) Use more specialized and precise vocabulary when describing cultural similarities and differences between cultures.
(C) Use background knowledge to deduce meaning and to understand complex information about cultural similarities and differences.
(D) Be able to clarify details about cultural differences by asking questions.

(3) **Classroom examples.**
(A) Study murals painted in both the USA and in the target culture and compare their artistic styles and political messages.
(B) Discuss the similarities and differences of folk legends in the target culture with those found in the student's own culture.
(C) Analyze the differences of the concept of life/death between the target culture and the student's own culture.
(D) Discuss the similarities and differences in the perspectives of time/money/work ethic between the two cultures.
(E) Explore how ceremonies such as weddings or funerals differ between the target culture and the student's own culture.

(j) **Standard—school and community.** Students will use the language both within and beyond the school setting.

(1) **Progress indicators.**
(A) Research the benefits of being able to communicate in more than one language.
(B) Interact appropriately in the target language in real-life situations.
(C) Maintain ongoing personal contact with a native speaker.
(D) Provide services such as tutoring, interpreting, and public performances within and beyond the school community using the target language.

(2) **Performance guidelines.**
(A) Narrate and describe using connected sentences and paragraphs in present and other time frames when interacting on topics of personal, school, and community interest.
(B) Communicate with a fairly high degree of facility when making oral and written presentations about familiar and well-researched topics.
(C) May encounter difficulty comprehending language dealing with abstract topics.
(D) Understand main ideas and significant details on a variety of topics, although comprehension may be uneven.

(3) **Classroom examples.**
(A) Using e-mail communication, survey students in the target culture concerning U.S. involvement in world affairs and then compile and analyze the data.
(B) Intern with someone from the business community who uses the target language at work.
(C) Volunteer to interpret for a community service, such as a clinic, that serves speakers of the target language.
(D) Interview bilingual professionals to find out how being bilingual has enhanced opportunities in their field.
(E) Prepare and conduct a survey among corporations and businesses to identify second language skills required of their employees.

(k) **Standard — personal enrichment.** Students will show evidence of becoming lifelong learners by using the language for personal enjoyment and enrichment.

(1) **Progress Indicators.**
(A) Initiate and sustain long-term associations with others proficient in the language.
(B) Use a variety of sources for entertainment or personal growth such as films, books, Internet, or social events.
(C) Critically discuss current issues of the target culture.
(D) Pursue personal interests in various aspects of the target culture.

(2) **Performance guidelines.**
(A) Are able to be understood by those with whom they interact, although there may still be a range of linguistic inaccuracies, and on occasion the communication partner may need to make a special effort to understand the message.
(B) Understand main ideas and significant details on a variety of topics found in the products of the target culture such as those presented on TV, radio, video, or live and computer-generated presentations, although comprehension may be uneven.
(C) Occasionally do not comprehend but usually are able to clarify details by asking questions.
(D) Formulate paragraph-length and longer oral and written presentations in present time, on topics of personal, school, community and global interest.
(E) May show some inaccuracies and/or interference from the native language when presentations deal with multiple time frames and/or other complex structures.

(3) **Classroom examples.**
(A) Participate in a study abroad program and/or host an exchange student from the target culture.
(B) Interact with an exchange student in the target language.
(C) Volunteer in the community where the target language can be utilized.
(D) Attend performances presented in the target language.
(E) Using electronic media, report on current events from the target culture.
(F) Using the target language, teach others the rules and strategies of a popular sport of the target culture.
210:20-27-1. Support personnel; reporting requirements
(a) Reporting requirements.
(1) No later than October 15 of each year, all public school districts must file an Preliminary (Pre-Print) Initial Support Personnel Report with the State Department of Education. The report shall list all support employees in their employ.
(2) No later than February 1 of each year, all public school districts must file a revised Final Mid-Year Support Personnel Report with the State Department of Education. The report shall contain any corrections, deletions, and additions that have occurred since the preliminary initial report was filed so that more accurate information is available for state aid calculations, legislative projections and other statistical requirements. State Aid funds shall be withheld from any school district that does not submit the Preliminary Support Personnel Report by February 1. Only after the report has been received by the State Department of Education shall the withheld State Aid funds be released to the school district.
(3) No later than June 15 of each year, all public school districts must file a Supplemental Support Personnel Report showing the changes for support personnel previously listed as well as all information required on any new support employees not previously listed. This report shall contain any corrections or changes to be made to the Final Mid-Year Support Personnel Report.
(b) Information to be reported. The following information is required on the Support Personnel Reports:
(1) Name
(2) Social Security Number
(3) Building site code
(4) Gender
(5) Race
(6) Position(s) and salary
(7) Months, hours per day, and estimated hours per year assigned
(8) Other information as deemed necessary
(9) Job code and function
   (A) 01 Noncertified Business Manager, District Treasurer and Administrative Assistant
   (B) 02 Secretarial and Clerical
   (C) 03 Teacher’s Assistant
   (D) 04 Maintenance and Plant Operation
   (E) 05 Food Service
   (F) 06 Regular Bus Drivers
   (G) 07 Substitute and Activity Drivers
   (H) 08 Noncertified Health Care, i.e. LPN, etc.
   (I) 09 Technicians, such as occupations requiring knowledge and manual skills which can be obtained by approximately two years post-high school education (programmers, draftsmen, inspectors, etc.)
   (J) 10 Skilled Crafts, such as mechanics, electrician, etc.
   (K) 11 Other Personnel
(L) 12 Early Childhood/CDA
(M) 13 OPAT Teacher (Oklahoma Parents As Teachers)
(N) 14 Physical Therapist (state licensed, but not certified by the State Department of Education)
(O) 15 Occupational Therapist (state licensed, but not certified by the State Department of Education)
(P) 16 Security
(Q) 17 Library Support Staff

The report shall list all support personnel in the district and shall list for each person their demographic information, salary and fringe benefits received by job class, hours worked per day, number of days employed, and other information as deemed necessary by the State Department of Education.
210:25-3-4. Personnel

(a) Teachers who have not yet received their degrees shall be considered as having a degree if all requirements have been completed except participation in graduation exercises.

(b) A teacher who has taught more than one-half of a day for 120 days or more shall be considered as having had one year of experience. A teacher who has taught the equivalent of 120 days within not more than two contractual years shall be considered as having had one year of experience. Experience shall be counted if the individual was legally employed and paid from funds under the supervision of a school board of education or any school accredited by the State Board of Education. Practice teaching or a practicum in a teacher-training institution shall not be considered as experience. Veterans Agricultural training instructors or any teacher employed full-time by an accredited college or university shall be considered as having one (1) year of teaching experience for each year of service after July 1, 1945, if such teaching experience is approved by the State Board of Education, provided such teacher held a bachelor's degree at the time these services were performed and was eligible to have been issued a teaching certificate.

(c) Any district identified as contracting with a teacher, or administrator without a valid certificate shall be penalized in state aid. The state aid penalty amount shall be the salary amount paid by the district for the number of days the teacher or administrator taught without a valid certificate in excess of allowable substitute days.

(d) All teachers must have an official transcript on file with the Professional Standards Section showing the degree completed.

(e) The timeframe for submitting Initial Personnel Reports shall be open from September 1 through October 1 of each year. No later than October 1, all public school districts must file an accurate Initial Personnel Report with the State Department of Education. The report shall list all personnel in the district and shall list for each person the position code, compensation, degree, certification information, years of qualified experience, number of days employed and other information as deemed necessary. Beginning with the 2004-2005 school year the school district will report to the State Department of Education the salary and benefit information disaggregated as required by law. For each employee not returning from the previous year, a reason for no return code shall be recorded. The Initial Personnel Report must be certified no later than October 15.

(f) From November 1 through December 15 of each year, a school district superintendent shall have access to the district's Initial Personnel Report. During this period, the superintendent will be permitted to make necessary corrections and updates to the report. Any changes made by a superintendent to the school district's Initial Personnel Report must be submitted no later than December 15. Reports are to be recertified after updates are complete.

(g) The timeframe for submitting Mid-Year Personnel Reports shall be open from January 1 through February 1 of each year. No later than February 1, all public school districts must file an accurate revised Mid-Year Personnel Report with the State Department of Education. The report shall contain any corrections, departures, and additions that have occurred since the October 1 Initial Personnel Report was filed so that more accurate information is available for state aid calculations, legislative projections and other statistical requirements. State Aid funds shall be withheld from any school district that does not submit the Mid-Year Personnel Report by
February 1. Only after the accurate report has been received by the State Department of Education shall the withheld State Aid funds be released to the school district.

(h) From February 15 through May 15 of each year, a school district superintendent shall have access to the district's Mid-Year Personnel Report. During this period, the superintendent will be permitted to make necessary corrections and updates to the report. Any changes made by a superintendent to the school district's Mid-Year Personnel Report must be submitted no later than May 15. Reports are to be recertified after updates are complete.

(i) All public school districts must file an accurate End-of-Year Supplemental Personnel Report showing the changes for personnel previously listed as well as all information required on any new employees not previously listed. This report shall contain any corrections or changes to be made to the February 1 Mid-Year Personnel Report. All employees that departed the school district prior to completion of the school year shall be given a "Reason-For-Leaving" code and have salary and days employed adjusted. School districts shall also file the Certified Substitute Teachers Report listing the number of days taught in the school year by all certified substitute teachers. The timeframe for submitting End-of-Year Supplemental Personnel Reports and Certified Substitute Teachers Reports shall be open from June 1 to July 15 of each year. These two reports shall be filed with the State Department of Education not later than July 15.

(j) If the district pays a teacher less than the minimum salary required by law, the difference shall be deducted from the next payment of state aid, or a claim shall be filed by the Director of Finance to recover any such overpayment to the school district.

(1) The School Personnel Records Section will notify the school superintendent of all potentially underpaid teachers after the Mid-Year Personnel Reports are filed with the State Department of Education in February. The school superintendent shall notify the School Personnel Records Section of the district's intent to pay the teacher the underpaid amount or to dispute the amount. If disputed, the school superintendent is responsible for providing documentation to the School Personnel Records Section to show the teacher was not underpaid based on the state minimum salary schedule. The State Aid Section shall withhold from state aid the amount underpaid by October 1 in the school year following the year in which the underpayment occurred.

(2) The method for calculating teacher salaries to ensure state minimums are met shall be determined by the School Personnel Records Section.

(k) If a teacher asserts that the school district he or she is employed by and was employed by the previous year, (or if underpayment occurred prior to July 1, 2002, and the teacher filed an action to recover an underpayment in a court of competent jurisdiction before July 1, 2002), has reduced the salary and/or fringe benefit level without a proportionate reduction in hours or duties, the teacher may file a complaint with the State Department of Education's School Personnel Records Section. The complaint must be accompanied by documentation sufficient to justify the allegations in the complaint. The teacher shall also send a copy of the complaint and supporting documentation to the superintendent of the school district. The documentation shall include, but not be limited to, the teacher's salary and benefit amount for each year in question. The superintendent shall be given an opportunity to submit documentation to refute the teacher's claim within 20 calendar days of receipt of the complaint. The School Personnel Records Section shall review all the documentation presented and present the complaint to the State Board of Education for determination of whether the school district willfully reduced the teacher's salary and benefits in violation of the law. If the school district does not provide a response and supporting documentation to the complaint, the complaint shall be upheld. In the event the
review of the documents reveals that the complaint is valid, the State Board of Education shall withhold the amount underpaid from the district's state aid as a penalty. Additionally, the same amount shall be withheld and that amount shall be sent to the teacher.

(l) Any superintendent, principal, or teacher shall not be considered as having received their minimum salary unless such salary is paid by school district warrants issued by the board of education or the school district.

(m) Personnel on the staff of the Oklahoma Department of Career and Technology Education shall be approved by the State Board of Education for increment purposes.

(n) Certified personnel teaching in Manpower Skill Centers and other Manpower Development Training Programs approved by the Oklahoma Department of Career and Technology Education shall be considered as teaching in a school approved by the State Board of Education for increment purposes as provided by Oklahoma School Law.

(o) Certified personnel teaching in virtual charter schools shall be considered as teaching in a school approved by the State Board of Education for increment purposes as provided for by Oklahoma School Law.
210:25-7-1. Oklahoma Cost Accounting System

(a) **Definitions.** The following words and terms, when used in this section, shall have the following meaning unless the context clearly indicates otherwise:

1. **"Equipment"** means an article of nonexpendable tangible personal property having a useful life of more than one year and an acquisition cost of at least $2,500 as established by the State Department of Education.

2. **"Fiscal year"** means a twelve month period of time, from July 1, through June 30, to which the annual budget applies and at the end of which the district determines its financial position and the results of its operations.

3. **"Function"** means the activity being performed for which a service or material object is required.

4. **"Fund"** means a fiscal and accounting entity, with a self-balancing set of accounts recording resources, liabilities, residual balances or changes therein.

5. **"Job Classification"** means a classification used to identify expenditures for salaries and employee benefits by employee's job.

6. **"Object"** means the service or goods obtained.

7. **"Operational Unit"** means a classification used to identify the accredited instructional site according to grade span or the non-accredited/non-instructional site at which personnel serve the entire district.

8. **"Program"** means the plan of activities and procedures designed to accomplish a predetermined objective.

9. **"Project Reporting"** means a reporting dimension which permits LEAs to accumulate expenditures to meet a variety of specialized management and reporting requirements, regardless of whether they are district, state, or federal. Expenditures and revenues may be accumulated under individual projects with the flexibility of accommodating additional projects that LEAs might wish to account for on a permanent or temporary basis.

10. **"Source of Revenue"** means a segregation of revenues by source. The primary classification differentiates district, intermediate, State and Federal revenue sources. Revenues from restricted sources would be further classified using the Project/Reporting dimension.

11. **"Subject"** means a group of related subjects which allows accumulation of costs in particular academic or curricular subject areas.

(b) **Source; interpretation.** The Oklahoma Cost Accounting System uses the account classification system developed by the National Center for Education Statistics in the handbook FINANCIAL ACCOUNTING FOR LOCAL AND STATE SCHOOL SYSTEMS, 1990 Edition. Specific account codes by name and number are published in the State Department of Education publication OKLAHOMA COST ACCOUNTING SYSTEM MANUAL. A current edition of this publication shall be available from the administrative head of the Finance Division and on the Financial Accounting website.

(c) **Dimension codes.** Dimension codes are divided into expenditures and revenues. Each is further subdivided into the following codes.

1. Expenditure dimensions include:
   
   A. **Fiscal year**
Revenue dimensions include:

(A) Fiscal year
(B) Fund
(C) Project reporting
(D) Source of revenue
(E) Program
(F) Operational unit
210:20-9-9. Kinds, types, classes, and processing fees of certificates
(a) **Kinds of certificates.** The specific use of each kind of certificate, in terms of the nature of services which the holder is permitted to render, is regulated by rules of the State Board of Education. The kinds of certificates available are:
   (1) Administrative certificate
      (A) Elementary principal (Grades Pre-Kindergarten (Pre-K) through eight (8))
      (B) Middle level principal (Grades five (5) through nine (9) (optional))
      (C) Secondary principal (Grades five (5) through twelve (12))
      (D) Superintendent (Grades Pre-Kindergarten (Pre-K) through twelve (12))
   (2) Early childhood education certificate (Grades Pre-Kindergarten (Pre-K) through three (3))
   (3) Elementary school certificate (Grades one (1) through eight (8))
   (4) Middle level certificate (Grades five (5) through eight (8) (optional))
   (5) Pre-Kindergarten - secondary certificate (Grades Pre-Kindergarten (Pre-K) through twelve (12))
   (6) Secondary school certificate (Grades five (5) through twelve (12))
   (7) Other certified personnel certificate (Grades Pre-Kindergarten (Pre-K) through twelve (12))
   (8) Career technology certificate (Grades five (5) through twelve (12))
(b) **Types of certificates.** The endorsement indicates the type of license/certificate issued.
(c) **Classes of certificates.** The class determines the term of validity. The classes of certificates are:
   (1) License-issued to beginning teachers with zero years of experience for a period of one (1) year validity
   (21) Standard certificate -- valid for five (5) years and renewal upon compliance with prescribed conditions
   (32) Provisional certificate - term of validity varies depending upon regulatory basis for issuance
(d) **Processing fees of certificates.**
   (1) Certificate $50.00
   (2) Renewals $50.00
   (3) License $50.00
   (43) Alternative Placement Application/Evaluation $50.00
   (54) All other transactions will be $50 or less
210:20-9-10.2. Teacher Competency Review Panel; recommendation for certification; fee assessment

A fee of $100 shall be assessed to all candidates seeking certification to teach through recommendation of the Teacher Competency Review Panel pursuant to 70. O.S. §6-202 said fee to be utilized to fund the functions of the Teacher Competency Review Panel.
210:20-9-94. Period of validity of certificates
(a) Standard certificates normally have a validity period of five (5) years. The standard certificate will expire five (5) years from the nearest thirtieth day of June either preceding or following the effective date of the certificate.
(b) A license normally has a validity period of one (1) school year. The license will expire the thirtieth day of June of the school year for which it was issued.
(c) Provisional certificates, vocational and/or nonvocational, will have a validity period established by the State Department of Education.
(d) Emergency certificates normally have a validity period of one (1) school year. The certificate will expire the thirtieth day of June of the school year for which it was issued. The validity period for an emergency certificate may be extended for one (1) additional school year at the request of the superintendent of the employing district, subject to the approval of the State Board of Education. The maximum validity period for an emergency certificate extended by State Board approval will be two (2) years.
210:20-9-95. Effective date of teaching certificates and licenses

(a) New licenses/certificates. A license/certificate issued to an applicant who completes all requirements and applies for the license/certificate between May 1 and September 1December 31 will be dated and become effective July 1 of the year the application and all supporting documentation are received, provided that an applicant may be employed for a maximum of sixty (60) days pending receipt of results of a national criminal history record check pursuant to 70 O.S. § 5-142. A license/certificate issued to an applicant who completes all requirements and applies for the license/certificate between SeptemberJanuary 1 and MayApril 30 will be dated and become effective the first day of the month in which the application and all supporting documents are received by the State Board of Education.

(b) Renewal of standard certificates and licenses. Renewed standard certificates and licenses will become effective July 1 following receipt of the application provided the application is made prior to the expiration of the certificate/license. If the application for renewal is made after the certificate/license has expired, the renewed certificate/license will be dated the first day of the month in which the application and all supporting documents are received. If a certificate has expired and a renewal application is submitted by December 31 of the year in which the certificate expired, the certificate shall be renewed with an effective date of July 1 of the year in which it expired. If a certificate has expired and a renewal application is submitted after December 31 of the year in which the certificate expired, the renewed certificate will be dated the first day of the month in which the application and all supporting documents are received. In the event an educator's certificate/license cannot be renewed due to failure to comply with Oklahoma's tax laws, the renewed certificate/license will be dated the date the State Department of Education receives notice from the Tax Commission that the educator has come into compliance.
210:20-9-96. Requirements for renewal or reissuance of certificates

(a) **Standard certificate.**

(1) To renew a standard certificate a teacher must submit the appropriate application, pay the appropriate processing fee specified in subsection 210:20-9-9 (d) and complete one of the following options:

(A) Option I--the applicant shall have completed a minimum of three (3) years of school experience in an accredited school during the five (5) year validity of the standard certificate. Applicants who have completed fewer than three (3) years of school experience may substitute coursework in professional education and/or specialization from an accredited college or university for each year of experience they are lacking at the following rate: with two (2) years of experience, complete three (3) semester hours; with one (1) year of experience, complete four (4) semester hours; or with zero (0) years of experience, complete five (5) semester hours. College credit must be completed within the five (5) year period immediately preceding the date of application for renewal. Teachers who teach one-half day in an accredited school each school year for the five (5) year validity period of their certificate may renew a standard certificate. The following provisions apply if the certificate has been expired more than five (5) years: If the certificate has been expired for more than five years and the teacher was certified in and teaching in another state and has three years of experience within the five year period immediately preceding the date of application for renewal the experience will apply toward renewal.

(B) Option II--a teacher or administrator who is not employed as a teacher or administrator and holds a valid Oklahoma Standard Teaching Certificate may satisfy requirements for renewal of the Standard Teacher Certificate by completing seventy-five (75) points in professional development programs, conferences and seminars approved by a public school district. A combination of professional development points, higher education credits and/or teaching experience may also be used for renewal of a valid standard teaching certificate. Only programs, conferences and seminars recognized for professional development credit by an Oklahoma public school district at the time the teacher attends the programs, conferences or seminars may be used to fulfill the renewal requirement. The individual seeking certification renewal is responsible to maintain his/her professional development attendance forms to submit to the State Department of Education. Exact combinations of professional development points, college credit hours and years of teaching experience will be determined by the Professional Standards Section of the State Department of Education.

(C) Option III--Issue a two-year certificate immediately and then complete the following requirement. Successful employment for one year in an Oklahoma accredited school or accredited college or university. An administrator will provide supervision and a teacher or appropriate colleague will provide assistance as needed. Ultimately,
(2) School experience, for purposes of renewing a standard certificate, is experience as a teacher, supervisor, or administrator in a school, college, or university accredited by either a state board of education or state board of regents.

(3) If a standard certificate has been expired for one (1) year or more, the applicant must undergo a new criminal history record check, as provided for at 70 O.S. § 5-142. Applicant is responsible for any fees associated with the criminal history record check.

(b) **Professional certificates.** A professional certificate may be renewed if it has not been expired for more than five (5) years and renewal requirements are met.

(1) To renew a professional certificate the applicant must submit the appropriate application and pay the appropriate processing fee. See 210:20-9-9 (d).

(2) The applicant must have completed a minimum of five (5) years of school experience in an accredited school during the seven (7) year validity period of the certificate. Applicants who have fewer than five (5) years of school experience during the validity period of their professional certificate may substitute coursework in professional education or specialization from an accredited college or university for each year of school experience they are lacking at the following rate:
   - (A) with four (4) years of experience, complete three (3) semester hours;
   - (B) with three (3) years of experience, complete four (4) semester hours;
   - (C) with two (2) years of experience, complete five (5) semester hours;
   - (D) with one (1) year of experience, complete six (6) semester hours; or
   - (E) with zero (0) years of experience, complete seven (7) semester hours.

(3) Teachers who teach one half day in an accredited school each school year for the seven (7) year validity period of their certificate may renew a professional certificate.

(4) The issuance of new professional certificates will be discontinued after December 31, 1988.

(5) Individuals holding a valid professional certificate on December 31, 1988, will be allowed to retain that certificate by meeting renewal requirements.

(6) School experience, for purposes of renewing a standard certificate, is experience as a teacher, supervisor, or administrator in a school, college, or university accredited by either a state board of education or state board of regents.

(7) If a professional certificate has been expired for one (1) year or more, the applicant must undergo a new criminal history record check, as provided for at 70 O.S. § 5-142. Applicant is responsible for any fees associated with the criminal history record check.

(c) **Licenses, provisional Provisional certificates.**

(1) **Licenses.**
   - (A) A license will be in renewable status until conclusion of the Residency Program, at which time a recommendation regarding certification will be made. A license cannot be reissued to an individual who has served two (2) years in the residency program without receiving the residency committee's recommendation for a certificate.
   - (B) Application for reissuance of a license shall be submitted directly to the State Department of Education along with the appropriate processing fee. See 210:20-9-9 (d).

(2) **Nonvocational provisional certificates.** Nonvocational provisional certificates may be renewed if requirements outlined by the State Department of Education toward meeting
requirements for a standard certificate are met during the term of validity of the provisional certificate.

(32) **Vocational provisional certificates.** Vocational provisional certificates may be renewed if requirements outlined by the State Department of Education and/or the Oklahoma Department of Vocational and Technical Education toward meeting requirements for a standard certificate are met during the term of validity of the provisional certificate.

(de) **Supplemental renewal regulations.**

1. Experience as a professional employee of a state education agency or professional educational organization is considered valid experience for the renewal of a standard or professional certificate.

2. Teachers who teach one-half day in an accredited school (nursery–higher education) each year for the validity period of their certificate may renew a standard or professional certificate.

3. Teaching experience with the Oklahoma Department of Corrections Educational System, the Oklahoma Department of Human Services as a vocational rehabilitation counselor, with optional/special function schools in Oklahoma accredited by the North Central Association of Colleges and Schools, experience in the Head Start Program, full-time active military service, or experience as a member of the Oklahoma Legislature may be accepted in meeting requirements for renewal of a standard or professional certificate.

4. The State Board of Education shall recognize full-time service as a member of the staff of the house of representatives, the senate or the legislative service bureau in an area related to education as valid experience for renewal of the standard certificate. This experience is calculated at the same rate as it is for other teachers.

5. Any person who is receiving retirement compensation from the Teacher Retirement System may renew the last standard or professional certificate for the purpose of substitute teaching.

6. A minimum of two-thirds of a school year (120 days) acquired in not more than two (2) contractual school years during the validity of the certificate in accredited schools may be considered as one (1) year of school experience.

7. A teacher who has taught more than one-half of a day for 120 days or more will be considered as having had one year of experience.

8. Substitute teachers, unless under contract, may count experience acquired in not more than two (2) consecutive years during the validity of the certificate.

9. Student teaching, experience in nonaccredited schools, experience while not holding a valid certificate, and experience while providing contracted services will not be accepted as school experience for purposes of renewal.

10. Applications for renewal of standard or professional certificates or reissuance of licenses will not be accepted prior to January 1 of the year in which the certificate or license expires.
210:20-9-100. Teacher Competency Review Panel
(a) The Teacher Competency Review Panel shall meet at the call of the State Superintendent. Applicants to the Alternative Placement Program who have completed the requirements in law and State Board of Education rules shall submit one copy of the following items to the Teacher Competency Review Panel for evaluation of qualifications and career accomplishments pursuant to 70 O.S. Supp. 2001 § 6-202:
   (1) résumé of experience,
   (2) written explanation of why the applicant wants to become a teacher, and
   (3) criminal background history check conducted by the Oklahoma State Bureau of Investigation.
(b) An interview with the Teacher Competency Review Panel is required.
(c) The Teacher Competency Review Panel shall notify applicants in writing of the panel's recommendation to license or not to license. If the Teacher Competency Review Panel's recommendation is not to license an applicant, the panel shall state the reasons for the recommendation in the letter to the applicant.
(d) Any applicant to the alternative placement program who does not receive a favorable recommendation from the panel may submit a letter to the Oklahoma State Board of Education within 90 days of the panel's recommendation to appeal the recommendation.
(e) The State Board of Education may access and review any documents or materials relevant to the applicant's initial application and appeal.
(f) The State Board of Education may accept the panel's recommendation not to license or may reverse the recommendation and issue a license to applicant.
(g) Notice of the State Board of Education's decision shall be sent to the applicant.
210:35-7-41. Staffing: pupil/professional staff ratio
(a) For the purpose of computing and paying state-appropriated funds, if a school district groups its grades as grades 1 through 5, grades 6 through 8, and grades 9 through 12, then as to such district the class size provisions for grades 7 through 9 in 70: O.S. § 18-113.3 shall apply to grade 6. [Reference: 70:18-113.1 (D)]
(b) No teacher who is counted in class size computation for grades 6, 7, 8, and 9 shall be responsible for the instruction of more than one hundred forty (140) students on any given 6 hour full length school day. [Reference: 70:18-113.3 (C)]
(c) Classes in Physical Education, Chorus, Band, Orchestra, and other similar music classes shall not be subject to the class size limitations. [Reference: 70:18-113.1 (C)]
(d) To enhance the safety of students enrolled in industrial arts/technology education classes, other than drafting, consideration should be given to the facilities and only the number of students equal to the work stations shall be enrolled. No more than twenty-five (25) students shall be assigned to any class.
(e) A minimum of two hundred (200) minutes of scheduled time shall be provided each week for each classroom teacher for individual planning and/or preparation and consultation, unless otherwise voluntarily agreed in writing between the teacher and the school district, with a stipend being provided to any teacher who forgoes planning time.

210:35-9-41. Staffing: pupil/professional staff ratio
(a) No teacher who is counted in class size computation for grades 9, 10, 11, and 12 shall be responsible for the instruction of more than one hundred forty (140) students on any given 6 hour full length school day. [70:18-113.3 (C)]
(b) Classes in Physical Education, Chorus, Band, Orchestra, and other similar music classes shall not be subject to the class size limitations. [Reference: 70:18-113.1 (C)]
(c) To enhance the safety of students enrolled in industrial arts/technology education classes, other than drafting, consideration should be given to the facilities and only the number of students equal to the work stations shall be enrolled. No more than twenty-five (25) students shall be assigned to any class.
(d) A minimum of two hundred twenty-five (225) minutes of scheduled time shall be provided each week for each classroom teacher for individual planning and/or preparation and consultation during the instructional day, unless otherwise voluntarily agreed in writing between the teacher and the school district, with a stipend being provided to any teacher who forgoes planning time.
210:40-87-5. Charter school application

(a) **Training.** Prior to submission of any additional applications to a proposed sponsor to establish a charter school, the prospective charter school applicant shall complete training as provided by the State Department of Education. The training shall include but not be limited to the following:

1. Process and requirements for establishing a charter school
2. Relevant Rules and Statutes pertaining to Charter Schools
3. Child Nutrition/Free and Reduced Lunch
4. Audits/State Aid/OCAS Reporting
5. School Personnel/Transportation
6. Curriculum/Gifted and Talented/Student Assessment
7. The WAVE Requirements
8. Open Meeting/Open Records/Ethics
9. Special Education

(b) **Establishment of a new charter school.** A new charter school will be considered established when a charter school application complies with 70 O.S. § 3-134 and is approved by the governing board of a sponsoring entity set forth in 70 O.S. § 3-132, or by the State Board of Education following a successful appeal under the procedure established pursuant to state law.

(c) **Processing the receipt of approved charter school applications.** All charter schools established pursuant to 70 O.S. Supp 2007 § 3-132(3)(4) must file charter documents with the State Department of Education, Office of Accreditation Legal Services Section. The following documents must be filed:

1. A copy of the sponsor's board minutes approving the charter school application;
2. A copy of the completed charter school application;
3. A copy of the approved contract for the new charter school;
4. A letter addressed to the Office of Accreditation that includes the following:
   1. A request for the school to be assigned a county code, district code, and site code;
   2. The physical and mailing addresses of the charter school;
   3. Contact information for the school administrator or a designee;
   4. Grades served; and
   5. The month and year the charter school will begin operation.

(d) **Determining the number of new charter schools.** Determinations regarding the statutory maximum number of new charter schools established annually shall be made by the Oklahoma State Department of Education based upon the order of receipt of the documents referenced in section c of this rule. Funding for a new charter school shall not be allocated if the establishment of a new charter school exceeds the statutory limit referenced in 70 O.S. § 3-142.

(d) **Application requirements.** An applicant seeking to establish a charter school shall submit a written application to the proposed sponsor. The application must include all statutorily required items listed in 70 O.S. § 3-134(B).

(e) **School district sponsors.** A school district may sponsor a charter school located within the geographic boundaries of the sponsoring district, subject to the virtual education restrictions of 70 O.S. § 3-145.6. Pursuant to 70 O.S. § 3-132(A)(8), an applicant that has been denied a charter by the local school district in which it seeks to operate shall be eligible to appeal to the
210:40-87-7. Charter school contracts [NEW]
(a) Contract requirement. The sponsor of a charter school must enter into a written contract with the governing body of the charter school. The initial contract for sponsorship shall be for a period of five (5) years. The contract must meet all statutory requirements listed in 70 O.S. § 3-135(A). A charter contract may provide for one or more schools by the same applicant, to the extent approved by the sponsor and consistent with applicable law. An applicant or the governing board of an applicant may hold one or more charter contracts. Each charter school that is part of a charter contract shall be separate and distinct from any other charter school under the same charter contract, and the sponsor shall evaluate each charter school’s performance separately.
(b) Written procedure for consideration, approval, and disapproval. Sponsors shall establish a written procedure and criteria for accepting, approving, and disapproving charter school applications in accordance with 70 O.S. § 3-134(E). A copy of this procedure and criteria shall be made available on request to charter school applicants, potential applicants, and members of the public.
(c) Performance provisions. Each charter contract shall contain performance provisions based on a performance framework that sets forth the academic and operational performance indicators, measures, and metrics that will guide the sponsor’s evaluations of the charter school. The sponsor shall not request any metric or data from a charter school that it does not produce or publish for all school sites in the district or under its sponsorship, unless the metric or data is unique to the charter school. To avoid duplication of administrative efforts, the sponsor shall require that data submitted under the performance provisions must be submitted by the charter school in the exact format required for submission of data to the Oklahoma State Department of Education (OSDE). Alternately, a sponsor may allow a charter school to provide permission to OSDE to share data required by the performance framework with the sponsor of the school. The performance framework must include measures that indicate, at a minimum:
   (1) Student academic proficiency;
   (2) Student academic growth;
   (3) Achievement gaps in both proficiency and growth among major student subgroups;
   (4) Student attendance;
   (5) Recurrent enrollment from year to year as determined by the methodology used for
public schools in Oklahoma;

(6) In the case of high schools, graduation rates as determined by the methodology used for public schools in Oklahoma;

(7) In the case of high schools, postsecondary readiness;

(8) Financial performance and sustainability; and

(9) Governing board performance and stewardship, including compliance with all applicable laws, regulations, and terms of the charter contract.

(d) Copies of all modified contracts to be sent to State Department of Education. A charter school must provide the OSDE Office of Accreditation with a copy of any modified contract within thirty (30) calendar days of execution. The requirement to send a copy of any modified charter contract to the OSDE Office of Accreditation applies to any change in terms, not only to changes that could potentially affect state funding.

210:40-87-8. Appeals for sponsorship to the State Board of Education [NEW]

(a) Circumstances permitting appeal. When an applicant has been denied a charter by the local school district in which it seeks to operate following submission of a revised application, the applicant may apply to the State Board of Education for sponsorship, subject to the limitations on number of State Board sponsored charter schools under 70 O.S. § 3-132(A)(8).

(b) Submission of an appeal to the State Board. A charter school applicant that has been denied a charter by a school district and wishes to appeal to the State Board for sponsorship must submit a request in writing to the Executive Secretary of the Board within thirty (30) days of the denial. In considering whether the conditions for State Board sponsorship have been met, the Board will not conduct a de novo consideration of the application, but will review the record on appeal. The written request submitted by the applicant must therefore include, at a minimum:

(1) The original charter application, the revised application submitted pursuant to 70 O.S. § 3-134(E), and all supporting documentation submitted by the applicant to the sponsor; and

(2) The written record of the local board of education's decision.

(c) Timeframe for hearing appeal. The State Board of Education shall hear the appeal no later than sixty (60) calendar days from the date received by the Executive Secretary. Appeals may be considered at any regular or special meeting of the Board.

(d) Determination of the number of new charter schools sponsored by the State Board. The county code assigned to the school district by the Oklahoma State Department of Education (OSDE) Office of Accreditation shall be the basis for determining whether the district is located in a county with a population of fewer than five hundred thousand (500,000). The State Board is authorized to sponsor no more than five (5) charter schools per year in counties with a population of fewer than five hundred thousand (500,000), with no more than one (1) new charter school sponsored in a single school district per year. Requests for appeal that meet the requirements in subsection (b) shall be scheduled for hearing in the order in which they are received by the Executive Secretary of the State Board. There is no annual limitation on the number of charter schools the State Board is authorized to sponsor in counties with a population greater than five hundred thousand (500,000).

(e) Conditions required for State Board sponsorship. In order to authorize a charter school that has been denied a charter by the local district, the State Board must find evidence of the following:

(1) A thorough and high-quality charter school application from the applicant, based on the authorizing standards in 70 O.S. § 3-134(B);
(2) A clear demonstration of community support for the charter school; and

(3) The grounds and basis of objection by the school district for denying the operation of the

charter are not supported by the greater weight of evidence and the strength of the

application.

210:40-87-9. Applications for renewal of charter school contracts [NEW]

(a) General requirements. All applications for renewal of a charter contract must meet the

requirements of 70 O.S. § 3-137. Every charter contract renewed after August 20, 2015, must

incorporate the requirements of 70 O.S. § 3-135 as amended by Senate Bill 782 (2015), even if

the original contract was entered prior to August 20, 2015. Prior to the beginning of the next-to-

last year of operation of a charter school under its existing contract, the sponsor shall issue a

charter school performance report and renewal application guidance to the school and the charter

school board. Prior to the beginning of the last year of operation under its existing contract, the

charter school may apply for renewal of the contract with the sponsor.

(b) Duration of renewed charter contract. A charter contract may be renewed for successive

five (5) year terms of duration. The sponsor may also vary the renewal term to a period other

than five (5) years based on the performance, demonstrated capacities, and particular

circumstances of each charter school. If the sponsor determines that a duration other than five

(5) years is appropriate for a renewal contract, the renewal contract shall state the reason(s) for

the varied term.

(c) Renewal with conditions. A sponsor may grant renewal with specific conditions for

necessary improvements to a charter school. If a sponsor grants a renewal under which specific

conditions must be met, the conditions shall be explicitly stated in the renewal contract.

(d) Performance report requirements. A charter school shall have forty-five (45) calendar

days to respond to the performance report and submit any corrections or clarifications to the

sponsor. The charter school performance report issued by the sponsor prior to the next-to-last

year of operation shall provide to the charter school:

(1) A summary of the performance record of the charter school to date, based on the data

required by the Oklahoma Charter Schools Act and the charter contract, and taking into

consideration the percentage of at-risk students enrolled in the school; and

(2) Notice of any weaknesses or concerns perceived by the sponsor that may jeopardize the

charter school's position in seeking renewal if not timely rectified.

(e) Renewal application guidance requirements. The renewal application guidance issued by

the sponsor to the charter school prior to the next-to-last year of operation shall include or

explicitly refer to the criteria that will guide the renewal decisions of the sponsor, which shall be

based on the performance framework set forth in the charter contract and consistent with the

Oklahoma Charter Schools Act. The renewal application guidance shall, at a minimum, provide

an opportunity for the charter school to:

(1) Present additional evidence, beyond the data contained in the performance report,

supporting its case for charter renewal;

(2) Describe improvements undertaken or planned for the school; and

(3) Detail the plan for the next charter term for the school.

(f) Guidelines for renewal decisions. A sponsor which does not intend to renew a charter

contract must give written notice of its intent to deny a request for renewal at least eight (8)

months prior to the expiration of the contract. In making renewal decisions, a sponsor shall:

(1) Ground decisions on evidence of the school's performance over the term of the charter
contract, evaluated in accordance with the performance framework set forth in the contract, and taking into consideration the school's percentage of at-risk students;

(2) Grant renewal to schools that have achieved the standards and performance expectations set forth in the contract, are organizationally and fiscally viable, and have been faithful to the terms of the contract and all applicable laws and administrative rules;

(3) Ensure that data used in making renewal decisions are available to the school and the public; and

(4) Provide a public report summarizing the evidence used as the basis for the decision.

(g) Binding arbitration upon request of charter school denied renewal. If a sponsor other than a school district has denied a charter school's request for renewal, the school may request that the governing board of the sponsor proceed to binding arbitration as provided for in 70 O.S. § 3-134(G). If a school district sponsor has denied a charter school's request for renewal, the school may appeal to the State Board of Education under the procedure set forth in 210:40-87-8.
210:1-3-8.1. Student Data Accessibility, Transparency and Accountability Act

(a) **Definitions.** The following words and terms, when used in this Section, shall have the following meaning:
   (1) "**Personally Identifiable Information**" shall have the meaning set forth in 34 C.F.R. § 99.3;
   (2) "**School official**" shall mean the officials within an educational agency or institution, including, but not limited to teachers, who are determined by the agency or institution to have legitimate educational interests in Personally Identifiable Information pursuant to the provisions of 34 C.F.R. § 99.31(a)(1);
   (3) "**Student data**" shall have the meaning set forth in 70 O.S. § 3-168(A)(7).

(b) **Annual inventory of student data collection.** The State Board of Education shall create and/or update and publish a data inventory and dictionary or an index of individual student data elements with definitions of individual student data fields currently collected by the State Department of Education in its student data system.
   (1) The inventory or index required to be created and published by this subsection shall include:
      (A) Any student data required to be reported by state and federal education mandates;
      (B) Any student data, if any, which have been proposed for inclusion in the student data system with a statement regarding the purpose or reason for the proposed collection; and
      (C) Any student data, if any, that the State Department of Education collects or maintains with no current purpose or reason.
   (2) The inventory or index required to be created and published by this subsection shall identify which student data elements were collected by the State Department of Education on or before July 1, 2013. All data elements identified as a student data element collected by the State Department of Education on or before July 1, 2013 shall be considered an "existing collection of student data" exempt from the provisions of (c) of this Section pertaining to collection of "new student data."

(c) **Collection of new student data - limits.** New collections of student data shall be subject to the following procedures:
   (1) For purposes of this subsection, a "new collection of student data" shall mean any new data object (i.e., category of student data) added to the student information system.
   (2) Any new collection of student data proposed for addition to the State Department of Education student data system shall be identified and submitted to the State Board of Education for approval no later than December 1 of the year prior to the school year for which the new data collection is proposed to be added.
   (3) Any new collection of student data proposed for addition to the State Department of Education student data system shall be submitted to the Governor and the Legislature within one year from the date of approval by the State Board of Education, in accordance with the provisions of 70 O.S. § 3-168(C)(7). Until approved by the Governor and the Legislature, any proposed new data collection shall be considered provisional, provided that any proposed new data collection not approved by the Governor and the Legislature by the end of the next
legislative session shall be deemed to expire and shall no longer be required by the State Department of Education.

(d) Disclosure or transfer of student data - limits. All requests for disclosure and/or transfer of student data collected and maintained by the State Department of Education, including, but not limited to Open Records Act requests and research requests, are subject to the following procedures:

1) Confidentiality of student data. All data which falls within the definition of "student data" set forth in 70 O.S. § 3-168(A)(7) is hereby deemed confidential pursuant to 70 O.S. § 3-168(C). Accordingly, "student data" are not subject to disclosure by the State Department of Education unless:

   A) The student data are aggregated and any Personally Identifiable Information has been removed in accordance with the procedures set forth in (3) of this subsection;
   
   B) The student data are otherwise approved for release, sharing, and/or disclosure by the State Board of Education in accordance with the procedures set forth in (4) of this subsection; or

   C) The student data does not have prior approval of the State Board of Education for release, sharing, and/or disclosure, but the release of requested data to the requester does not violate provisions of the Family Education Rights and Privacy Act (FERPA) at 20 U.S.C. § 1232g et seq. or accompanying regulations at 34 C.F.R. Part 99, and the release is limited to one of the following purposes:

      i) Facilitating a student transfer out of state, or assisting a school or school district with locating an out-of-state transfer;
      
      ii) Facilitating a student's application to an out-of-state institution of higher education or professional training program;
      
      iii) Registration for a national or multistate assessment taken by a student;
      
      iv) Facilitating a student's voluntary participation in a program for which transfer of that student's data are a condition and/or requirement of the student's participation;
      
      v) The Department enters into a contract that governs databases, assessments, special education, or instruction supports with an out-of-state vendor;
      
      vi) Compliance with federal reporting requirements for students classified as "migrants."

2) Authorized access to confidential student data. Access to confidential student data in the State Department of Education student information system shall be restricted to:

   A) Employees of the State Department of Education who have been authorized by the Superintendent of Public Instruction to access confidential student data;

   B) Contractors of the State Department of Education who require such access to perform their assigned duties, including staff and contractors from the Information Services Division of the Office of Management and Enterprise Services (OMES) who have been assigned to the State Department of Education, provided that all such individuals shall comply with the terms set forth in the contract governing use and handling of student data;

   C) District administrators, teachers, personnel or other "school officials" under direct control of a school in which the student has been enrolled or in which the student has applied for transfer or enrollment and who require access to confidential student data in order to perform their assigned duties;
(D) A student and/or parents or legal guardians of the student with rights to inspect a student's own records in accordance with rights afforded by state or federal law;

(E) The authorized staff of any other State of Oklahoma agencies as authorized by law and in accordance with the terms of interagency data sharing agreements; and

(F) The authorized staff of any other entity as necessary to fulfill the purposes set forth in 70 O.S. § 3-168(C)(3) or as otherwise approved by the State Board of Education to access or share student data in accordance with terms of interagency data-sharing agreements.

(3) Requests for release of student data. All requests for release, disclosure, or transfer of confidential student data shall be reviewed in accordance with the following procedures:

(A) Step one. Prior to disclosure and/or transfer of information collected and maintained by the State Department of Education, any student data identified for potential disclosure and/or transfer in response to a request shall be screened for all information that meets the definition of "Personally Identifiable Information".

(i) For purposes of this subparagraph, student data shall be deemed to result in the identification of a specific student if the n-size of the dataset is fewer than ten (10) records, provided that the provisions of this paragraph shall not be interpreted to require disclosure of records of a higher n-size if the release would result in disclosure of potentially identifiable information of one or more students.

(ii) Removal, redaction, and/or suppression of Personally Identifiable Information in a dataset necessary to bring a dataset proposed for release into compliance with the requirements of (3)(D)(iii)(II) of this subsection may require suppression of additional subsets of records to ensure that the privacy of students in the fewer than 10 subgroup.

(D) Step two. In accordance with the provisions of 70 O.S. § 3-168(C)(2)(c), all requests for release, disclosure, and/or transfer, of confidential student data shall be denied unless the data or dataset requested for release meets one of the following conditions:

(iA) The request is from an individual or entity specifically authorized to access confidential student data pursuant to 70 O.S. § 3-168(C)(2)(a) or (d)(2) of this Section;

(iiB) The requested data or dataset has been approved for release to the requester by the State Board of Education in accordance with the policies and procedures set forth in (4) of this subsection; or

(iiiC) The requested data or dataset meets all of the following criteria:

(ı) The requested data meets the definition of "aggregate data" set forth in 70 O.S. § 3-168(A)(4); and

(ııı) All data that falls within the definition of "Personally Identifiable Information" set forth in 34 C.F.R. 99.3 has been removed, suppressed, and/or redacted as necessary to ensure no Personally Identifiable Information is included in the student data requested for release;

(4) Policies and procedures governing approval of release, sharing and/or disclosure of confidential student data by the State Board of Education. The State Department of Education shall develop a detailed data security plan that complies with the provisions of 70 O.S. §3-168(C)(4) and includes internal policies and procedures governing agency responses to requests for release and/or sharing of confidential student data to persons not authorized to
access confidential student data in accordance with (2) of this subsection. Such internal policies and procedures shall meet all of the following requirements:

(A) The policies and procedures shall prohibit release of all data or datasets containing Personally Identifiable Information of one or more students unless all of the following conditions are met:

(i) The release complies with the provisions of the Family Education Rights and Privacy Act (FERPA) at 20 U.S.C. § 1232g et seq. and accompanying regulations at 34 C.F.R. Part 99; and

(ii) Approval for the release has been obtained from the State Board of Education.

(B) The policies and procedures shall set forth the requirements of all written agreements necessary to comply with the requirements of 34 C.F.R. § 99.31.
210:15-27-1. Reading Sufficiency Plans and Summer Academy Reading Programs
(a) Each public school district will develop a district reading sufficiency plan that includes a plan for each site. The district and site reading plans must be updated annually and electronically submitted to and approved by the Office of Instruction of the State Department of Education as part of the requirements for receiving accreditation, provided that electronic submission and approval of annual updates to the district plan shall not be required if:
   (1) The last plan submitted by the school district was approved; and
   (2) Expenditures for the district's reading program include only expenses relating to:
      (A) Individual and small group tutoring;
      (B) Purchase of and training in the use of screening and assessment measures;
      (C) Summer school programs; or
      (D) Saturday school programs.
(b) If any expenditure for the district's reading program is deleted or changed or if any other type of expenditure for the district's reading program is implemented, the school district shall be required to submit the latest annual update for approval. Notwithstanding the provisions of (a)(1) and (2) of this Section, if a district has one or more schools that are not achieving the annual improvement goals as outlined in the Reading Sufficiency Act, or if a district has one or more schools designated as a school in need of improvement, the district shall submit its district reading sufficiency plan for approval.
(c) Each school district and each school site shall submit to the State Department of Education the information to be used for the required Reading Sufficiency Act Annual Reading Report Card by the submission deadline to be determined by the Office of Instruction of the State Department of Education.
(d) Each school district will submit to the State Department of Education the number of students in kindergarten, first, second and third grades found to be in need of remediation in reading based on screening instruments approved by the State Board of Education by the submission deadline to be determined by the Office of Instruction of the State Department of Education.
(e) Pursuant to the Reading Sufficiency Act, each school district which has any schools that are not achieving the required annual reading goal set forth in 70 O.S. § 1210.508B shall submit to the State Department of Education its annual improvement goals necessary to progress from the baseline established September 1, 2005, to achieving the reading goal for all third-grade students set forth at 70 O.S. 1210.508B(D) These improvement goals shall be submitted to the State Board of Education by the submission deadline to be determined by the Office of Instruction of the State Department of Education.
(f) Contingent on the availability of appropriated funds designated for the Reading Sufficiency Act, the State Department of Education may allocate funds to public school districts in accordance with the provisions of 70 O.S. § 1210.508D.
(g) Reading sufficiency funds allocated pursuant to subsection (f) of this Section must be used for expenses relating to individual and small group tutoring, purchase of and and/or development of instructional training in the use of screening assessment measures, summer academy reading sufficiency plan programs, Saturday school programs, and any other reading program or
professional development training contemplated as necessary by the districts to perform the goals of the Reading Sufficiency Act for students in the kindergarten, first, second, and third grades who have been identified by the elementary site as in need of a program of reading instruction.

(h) Each district will submit the number of eligible students who may participate in an approved summer academy reading program based on results from an approved assessment as outlined in the Reading Sufficiency Act by the submission deadline to be determined by the Office of Instruction of the State Department of Education.

(ih) Summer academy reading programs for students shall be courses that:

1. provide at least four (4) weeks of tutoring a half (1/2) day each day for four days;
2. incorporate the content of a reading program that meets the criteria set forth in the Reading Sufficiency Act;
3. are taught by teachers who have successfully completed a professional development institute or program in reading as prescribed by the statutory provisions of the Reading Sufficiency Act; and
4. include only eligible students not reading at grade level based on results from an assessment approved by the State Board of Education.

(ji) School districts observing a continuous learning calendar may request to implement a summer academy reading program on an alternative schedule throughout the extended school year (e.g., during intersession breaks) by submitting a proposed alternative summer academy reading program schedule to the State Department of Education for approval prior to the deadline established by the Office of Instruction of the State Department of Education, provided that any proposed alternative schedule must meet the requirements set forth in (i) of this Section.

(kj) Superintendents of districts will sign and submit an assurance statement that their reading program(s) meet the requirements of the Reading Sufficiency Act prior to receipt of funding.

 lk) Upon completion of a Summer Academy Reading Program pursuant to 70 O.S. § 1210.508E, a student may demonstrate successful completion of the required competencies for reading necessary for promotion to fourth grade upon the student's completion of either:

1. A student portfolio in accordance with the criteria set forth in 210:15-27-2(b)(4); or
2. An acceptable level of performance on an alternative reading assessment in accordance with the criteria set forth in 210:15-27-2(b)(3)(A); or
3. An acceptable level of performance on one of the screening instruments approved by the State Board of Education.

210:15-27-2. Good cause exemptions for promotion under the Reading Sufficiency Act

(a) Beginning with the 2013-2014 school year, students who score at the Unsatisfactory level on the Reading portion of the third grade criterion-referenced test(s) may only be promoted to fourth grade if the student qualifies for a good cause exemption pursuant to 70 O.S. § 1210.508C. **Only the scores from the reading comprehension and vocabulary portions of the third grade criterion-referenced test shall be used to determine the promotion and retention of third grade students pursuant to the Reading Sufficiency Act.**

(b) Good cause exemptions shall be limited to the six (6) seven (7) statutory exemptions outlined in 70 O.S. § 1210.508C (K) as follows:

1. Students with limited English proficiency may be granted a good cause exemption for promotion to the fourth grade pursuant to 70 O.S. § 1210.508C(K)(1). To qualify for this exemption, the student must:
(A) Be identified as Limited-English Proficient (LEP)/English Language Learner (ELL) on a screening tool approved by the Oklahoma State Department of Education Office of Bilingual/Migrant Education and have a Language Instruction Educational Plan (LIEP) in place prior to the administration of the third grade criterion referenced test; and
(B) The student must have had less than two (2) years of instruction in an English Language Learner (ELL) program that meets the definition of a "language instruction educational program" set forth in 20 U.S.C. §7011.

(2) Students with disabilities who are assessed with alternate achievement standards (AA-AAS) under the Oklahoma School Testing Program (OSTP) with the Oklahoma Alternative Assessment Program (OAAP) qualify for the good cause exemption pursuant to 70 O.S. § 1210.508C(K)(2). To qualify for this exemption, the student must meet all of the following criteria:
   (A) The student must be identified as needing special education services prior to the administration of the third grade criterion referenced test;
   (B) The student must have an Individualized Education Program (IEP) in place prior to the administration of the third grade criterion referenced test; and
   (C) The student's IEP must direct that the student is to be assessed with alternate achievement standards through the Oklahoma Alternative Assessment Program (OAAP) based upon the OSDE Criteria Checklist for Assessing Students with Disabilities on State Assessments.

(3) Students who demonstrate an acceptable level of performance on an alternative standardized reading assessment may be granted a good cause exemption for promotion to the fourth grade pursuant to 70 O.S. § 1210.508C(K)(3). To promote a student using an alternative standardized reading assessment, the following criteria shall apply:
   (A) The student must score an acceptable level of performance on an approved alternative standardized reading assessment. The following are approved alternative standardized reading assessments that may be used to justify a good cause promotion pursuant to 70 O.S. § 1210.508C(K)(3). The listed score constitutes an acceptable level of performance, and the student must score at or above the following percentiles:
      (i) Stanford Achievement Test, Tenth Edition, (SAT 10) - 45th Percentile
      (ii) Iowa Test of Basic Skills (ITBS) Complete Battery Form A, C or E, Level 9, Reading Comprehension - 45th Percentile
      (iii) Iowa Test of Basic Skills (ITBS) Core Battery, Form A, C, or E, Level 9, Reading Comprehension - 45th Percentile
      (iv) TerraNova, Third Edition Complete Battery Level 13, Reading - 45th Percentile
   (B) Alternative standardized reading assessments may only be administered following the administration of the Reading portion of the third grade criterion-referenced test(s). The spring test form of the exam shall be administered.
   (C) An approved alternative standardized reading assessment may be administered at any time prior to the start of the next academic year, if there are at least twenty (20) calendar days between administrations and different test forms are administered.

(4) Students who can demonstrate evidence through a student portfolio that the student has mastered state standards beyond the retention level and that the student is reading on grade level or higher may be granted a good cause exemption pursuant to 70 O.S. § 1210.508C(K)(4). To promote a student through the use of a student portfolio, the following criteria shall apply:
The student portfolio shall include evidence demonstrating the student's mastery of the Oklahoma state standards in reading equal to grade level performance on the Reading portion reading comprehension and vocabulary portions of the statewide third grade criterion-referenced test(s). Such evidence shall be documented through an organized collection of work representing the student's mastery of such standards, including a demonstration of mastery of all of the following essential components of reading:

(i) Phonological awareness;
(ii) Phonics (i.e., The student demonstrates awareness of letter–sound correspondence for consonants, vowels, and consonant digraphs, syllable types, and two to three syllable words);
(iii) Vocabulary (i.e., The student demonstrates ability to determine the meaning of general academic-specific and domain-specific words and phrases in a text relevant to a grade three topic or subject area);
(iv) Automaticity/Fluency (i.e., The student demonstrates timed letter and word identification, sight words, modeled paragraph reading);
(v) Comprehension (i.e., The student demonstrates ability to read and comprehend informational text independently and proficiently); and
(vi) Spelling/Writing (i.e., The student demonstrates proficiency in spelling and writing through spelling tests and writing samples).

The student portfolio shall include clear evidence that the standards assessed by the Reading portion reading comprehension and vocabulary portions of the statewide third grade criterion-referenced test(s) have been met. Clear evidence must include multiple choice items and passages that are 50% literary text and 50% expository text that are between 200–600 words, with an average of 350 words. Such evidence could consist of:

(i) Chapter or unit tests from the district's adopted core reading curriculum that are aligned with the Oklahoma State Standards; or
(ii) Teacher-prepared assessments.

Each standard and objective assessed by the Reading portion reading comprehension and vocabulary portions of the third grade criterion-referenced test(s) must include a minimum of four (4) work samples of mastery whereby the student attained a grade of 70% or above. Demonstrating mastery of each objective for each standard is required.

The student portfolio shall include copies of the screening assessments and benchmark/progress monitoring assessments administered pursuant to 70 O.S. 1210.508C(B) and (C), as well as a copy of the student's Academic Progress Plan.

The student portfolio shall be signed by the certified classroom teacher responsible for the student's Reading instruction and the principal of the school, attesting that:

(i) The portfolio is an accurate assessment of the student's reading achievement level;
(ii) The portfolio includes only work that has been independently produced by the student in the third grade, including programs of reading instruction provided after regular school hours, on Saturdays, and during the summer following the student's third grade year; and
(iii) The student possesses required reading skills to be promoted to fourth grade.

(5) Students with disabilities who participate in the statewide criterion-referenced test and have an IEP may qualify for a good cause exemption pursuant to 70 O.S. § 1210.508C(K)(5). To qualify for this exemption, the student must meet the following criteria:

(A) The student must have been previously retained in pre-kindergarten for academic reasons, kindergarten, first grade, second grade, or third grade; and

(B) The student's IEP must:
   (i) Identify Reading as an area of education need for the student or identify some type of special education service in the area of Reading; and
   (ii) Reflect that the student has received intensive remediation for more than two (2) years. Intensive remediation may include any type of program offering intensive reading instruction that is identified as appropriate by the IEP team.

(6) Students who demonstrate a reading deficiency and have been previously retained may qualify for a good cause exemption pursuant to 70 O.S. § 1210.508C(K)(6). To qualify for this exemption, the student must meet the following criteria:

(A) The student must have been previously retained in pre-kindergarten for academic reasons, kindergarten, first grade, second grade, or third grade for a total of two (2) years; and

(B) The student must have received intensive reading instruction for two (2) or more years.

(7) Students who have been granted an exemption for medical emergencies by the State Department of Education may qualify for a good cause exemption pursuant to 70 O.S. § 1210.508C(K)(7). To qualify for this exemption, the student must have been granted a medical emergency exemption pursuant to 70 O.S. § 1210.508-2 and 210:10-13-23, applicable to the testing window during which the reading comprehension and vocabulary portions of the third grade criterion reference test were administered to the student's class.

(c) Each student completion of a transitional grade between kindergarten and third grade shall be considered a previous retention for purposes of 70 O.S. § 1210.508C(K). A transitional grade consists of subject area curriculum selected from two consecutive grade levels to provide differentiated instruction needed for a student to master appropriate skills required for promotion.

(d) Documentation shall be maintained in the student record of any student promoted on the basis of a good cause exemption listed in 70 O.S. § 1210.508C(K). Documentation shall include the student's criterion-referenced test score and any documentation relied upon to grant a good cause exemption or exemption pursuant to (b) of this Section.

(e) Any student promoted on the basis of a good cause exemption listed in 70 O.S. 1210.508C(K) should continue to receive intensive reading instruction and intensive instructional services and supports through the continued implementation of an Academic Progress Plan (APP) to remedy the reading deficiency.

(f) Each student's APP required under this section shall be documented on a form approved by the Office of Instruction of the State Department of Education, and shall include, but not be limited to, the following information:

   (1) Identification of assessments used for diagnostic purposes and periodic progress monitoring;
   (2) The results of the assessment(s) used to identify the reading deficiency;
A list of the developmental reading skill areas targeted for improvement (i.e., comprehension, phonics, phonological phonemic awareness, spelling, phonics, reading fluency, or vocabulary, or comprehension);

A description of the supplemental and/or remedial services and supports provided to the student in accordance with the provisions of 70 O.S. § 1210.508C(N)(2);

A description of parental involvement strategies; and

Identification of any collaborative services provided to the child in order to facilitate the APP (i.e., Title I, IDEA, ELL/Title III).

For purposes of the Reading Sufficiency Act, a "program of reading instruction" shall be based upon a three-tiered Response to Intervention ("RtI") model, and shall include:

1. For students identified for Tier I intervention, a minimum of ninety (90) minutes of uninterrupted daily scientific research-based reading instruction;

2. For students identified for Tier II intervention, at least thirty (30) to forty-five (45) minutes of additional uninterrupted daily scientific research-based reading instruction in addition to the ninety (90) minutes of uninterrupted daily reading instruction provided under Tier I; and

3. For students identified for Tier III intervention, at least forty-five (45) to sixty (60) minutes of additional uninterrupted daily scientific research-based reading instruction in addition to the ninety (90) minutes of uninterrupted daily reading instruction provided under Tier I.


(a) District school boards of education shall adopt and implement a policy for the mid-year promotion of any student retained in third grade due to a reading deficiency as required by 70 O.S. § 1210.508C. Such mid-year promotions of retained third grade students must occur during the first semester of the academic year, and must occur prior to November 1 of that academic year.

(b) To be eligible for mid-year promotion, a student must demonstrate by reasonable expectation that he or she:

1. Is a successful and independent reader as demonstrated by reading at or above grade level;

2. Has progressed sufficiently to master appropriate fourth grade reading skills; and

3. Has met any additional requirements, such as satisfactory achievement in other curriculum areas, as determined by the policies of the district school board.

(c) Standards that provide a reasonable expectation that the student has met the requirements of (b) of this Section include demonstrating a level of proficiency required to score above the Unsatisfactory level on the Grade 3 criterion referenced test(s) and mastery of reading skills, consistent with the month of promotion to fourth grade, as presented in the scope and sequence of the school district's core reading program. Evidence of demonstrated mastery shall be shown by the following:

1. Successful completion of portfolio elements that meet state criteria in (d) of this Section; or

2. Satisfactory performance on a subsequent alternative standardized assessment as specified in (e) of this Section.

(d) To promote a student mid-year using a student portfolio as provided for in (c)(1) of this Section, there must be evidence of the student demonstrating a level of proficiency required to
score above the Unsatisfactory level on the Oklahoma state standards as assessed by the Reading portion reading comprehension and vocabulary portions of the Grade 3 criterion-referenced test(s), and mastery of the Oklahoma state standards as assessed by the Reading portion reading comprehension and vocabulary portions of the Grade 4 criterion-referenced test(s), as specified in (b) of this Section. The student portfolio must meet the following requirements:

1. Consist only of work selected by the certified classroom teacher responsible for the student's Reading instruction;
2. Be an accurate representation of the student's reading achievement level, and only include work that has been independently produced by the student in the classroom of the certified classroom teacher responsible for the student's Reading instruction;
3. Include evidence demonstrating a level of proficiency required to score above the Unsatisfactory level on the standards assessed by the Reading portion reading comprehension and vocabulary portions of the Grade 3 criterion-referenced test(s) by meeting all requirements set forth in 210:15-27-2(b)(4);
4. Include evidence of beginning mastery of fourth grade state standards that are assessed by the Grade 4 Reading portion reading comprehension and vocabulary portions of the criterion-referenced test(s). Clear evidence must include multiple choice items and passages that are 50% literary text and 50% expository text that are between 200-600 words, with an average of 350 words. Such evidence could consist of:
   - Chapter or unit tests from the district's adopted core reading curriculum that are aligned with the Oklahoma State Standards;
   - Teacher-prepared assessments;
5. Each standard and objective assessed by the Grade 4 Reading portion reading comprehension and vocabulary portions of the criterion-referenced test(s) must include a minimum of three (3) work samples of mastery whereby the student attained a grade of 70% or above. Demonstrating mastery of each objective for each standard is required; and
6. Be signed by the certified classroom teacher responsible for the student's reading instruction and the principal of the school, both attesting that the portfolio is an accurate assessment of the student's ability and that the student possesses the required reading skills to be promoted to fourth grade.

(e) To promote a student mid-year using an alternative standardized assessment as provided for in (c)(2) of this Section, there must be evidence that the student scored at or above grade level on the reading portion of an alternative standardized reading assessment listed in OAC 210:15-27-2(b)(3)(A), as demonstrated by standard scores or percentiles consistent with the month of promotion to the fourth grade. Alternative assessments administered for the purpose of determining a student's eligibility for mid-year promotion must also comply with the requirements of 210:15-27-2(b)(3)(B)-(C) and the school district's policy for mid-year promotion, provided that alternative assessments administered for this purpose may be administered until November 1 of the school year.

(f) The Academic Progress Plan (APP) for any retained third grade student who has been promoted mid-year to fourth grade must continue to be implemented for the entire academic year.

(g) A mid-year promotion shall only occur upon agreement of the parent or legal guardian of the student, and the principal of the school. Such decision should be made in consultation with the student's third and fourth grade teachers.
210:15-27-4. Program of reading instruction [NEW]

(a) **Eligible students.** Each student enrolled in kindergarten, first, second, and third grade in the public schools of Oklahoma shall be assessed at the beginning and end of each school year using a screening instrument approved by the State Board of Education. Any student found not to be reading at grade level shall be provided a program of reading instruction designed to enable the student to acquire the appropriate grade level reading skills. Diagnostic assessment shall be provided if determined appropriate, and progress monitoring shall continue throughout the year.

(b) **Student Reading Proficiency Team.** For students found not to be reading at the corresponding grade level upon completion of an approved screening instrument, a Student Reading Proficiency Team shall be created. The following guidelines apply to Student Reading Proficiency Teams:

(1) For a student not reading at the corresponding grade level in first grade or second grade as identified by an approved screening instrument, the Student Reading Proficiency Team shall develop an individualized program of reading instruction. The team shall be composed of:

(A) The student's parent(s) or guardian(s);
(B) The teacher assigned responsibility for the student's reading instruction in that academic year;
(C) A teacher assigned responsibility for reading instruction in the student's next grade level; and
(D) A certified reading specialist, if available.

(2) For a third grade student who is not eligible for automatic promotion and who scores at the unsatisfactory or limited knowledge levels on the reading portion of the third-grade statewide criterion-referenced test, a Probationary Promotion Reading Proficiency Team may evaluate the student for probationary promotion. Upon the unanimous recommendation of the Probationary Promotion Reading Proficiency Team and approval of the school principal and district superintendent, a student recommended for probationary promotion shall be promoted to fourth grade. The Probationary Promotion Reading Proficiency Team shall be composed of:

(A) The student's parent(s) or guardian(s);
(B) The teacher assigned responsibility for the student's reading instruction in that academic year;
(C) A teacher assigned responsibility for reading instruction in the student's next grade level; and
(D) A certified reading specialist.

(c) **Program requirements.** Each program of reading instruction shall include provisions of the READ Initiative adopted by the school district as provided for in 70 O.S. § 1210.508C. For purposes of the Reading Sufficiency Act, a "program of reading instruction" shall be based upon a three-tiered Response to Intervention ("RtI") model, and shall include:

(1) For students identified for Tier I intervention, a minimum of ninety (90) minutes of uninterrupted daily scientific-research-based reading instruction;
(2) For students identified for Tier II intervention, at least an amount of uninterrupted scientific-research-based reading instructional time that is:

(A) Based on specific student needs;
(B) Reflects the needed intensity and/or frequency as identified on a screening tool, diagnostic assessment, and/or progress monitoring instrument; and
(C) Is determined by the classroom teacher, reading specialist (if available), and building principal.

(3) For students identified for Tier III intervention, at least forty-five (45) to sixty (60) minutes of additional uninterrupted daily scientific-research-based reading instruction in addition to the ninety (90) minutes of uninterrupted daily reading instruction provided under Tier I.

(d) **District review of program.** Each district shall conduct a review of the program of reading instruction for all students who score below the proficient level on the reading comprehension and vocabulary portions of the third grade statewide criterion-referenced tests and do not qualify for a good-cause exemption under 70 O.S. § 1210.508C(K). For each student retained under the provisions of the Reading Sufficiency Act, the school district shall require a student portfolio to be completed. The district review of each retained student's program of reading instruction shall address additional supports and services needed to remediate the identified areas of reading deficiency, which may include but not limited to:

- (1) Small group instruction;
- (2) Reduced teacher-student ratios;
- (3) More frequent progress monitoring;
- (4) Tutoring or mentoring;
- (5) Transition classes containing third and fourth grade students;
- (6) Extended school day, week, or year; and
- (7) Summer reading academies as provided for in 70 O.S. § 1210.508E, if available.

(e) **Transition to ACE remediation for students approved for probationary promotion.** For a student who is approved for probationary promotion, the Probationary Promotion Reading Proficiency Team shall continue to review the student's reading performance and repeat the evaluation and recommendation process described in 1210.508C(H)(4) each academic year until the student demonstrates grade-level proficiency on an approved screening instrument or transitions to remediation provided under the Achieving Classroom Excellence Act (ACE).
210:20-9-91. Application for new licenses/certificates

The application processes for individuals seeking new licenses/certificates are described separately for individuals completing requirements at an in-state college or an out-of-state college.

(1) **Graduates of Oklahoma colleges and universities.** The application process for graduates of Oklahoma colleges and universities is as follows:

(A) The completed application may be submitted to the director of teacher education at the recommending college or sent directly to the State Department of Education along with an official up-to-date transcript(s) and the appropriate processing fee. See 210:20-9-9 (d)

(B) The signature of the director of teacher education verifies that the applicant has met the requirements of the institution's approved teacher education program for the license/certificate sought and that the applicant possesses the character and general fitness to be a teacher. Application approval by the State Department of Education verifies that the applicant has met an approved program.

(i) Vocational license/certificate applicants: The director of teacher education at the recommending institution or the applicant will forward the application to the appropriate state supervisor at the State Oklahoma Department of Vocational Technical Education Career and Technology Education. After approving the application the state supervisor will send it, along with supporting documents, to the State Department of Education.

(ii) Nonvocational license/certificate applicants: The director of teacher education at the recommending institution may forward the approved application, along with supporting documents, to the State Department of Education.

(2) **Graduates of out-of-state colleges and universities.** The application process for graduates of out-of-state colleges and universities is as follows:

(A) The applicant will submit the following items to the State Department of Education as part of the application process:

(i) the completed application form

(ii) official up-to-date transcripts of all college course work

(iii) a copy of a valid out-of-state teaching certificate in the area sought documentation the applicant has completed an accredited teacher preparation program

(iv) verification of out-of-state teaching experience

(i) the appropriate processing fee for each class of certificate sought. See 210:20-9-9 (d)

(B) For vocational license/certificate applications, the applicant will submit all items in (2) (A) of this section directly to the State Department of Education.

(C) All teachers certified out-of-state after submitting requested items in (2) (A) of this section as well as out-of-state applicants who have held a certificate and hold a master's
degree and have accumulated an additional 15 or more semester hours in a teaching field may obtain certification through one of the following options:

(i) Option I—have a current certificate issued by the National Board for Professional Teaching Standards.

(ii) Option II—receive a two-year certificate allowing the applicant to meet requirements I and II for Standard Certification:

(I) Meet the following requirements: successfully complete the residency program as a licensed teacher, if applicable; and successfully complete one year of employment in an Oklahoma accredited school or, if not subject to the Residency program, employment may be in an accredited college or university. An administrator will provide supervision and a teacher or appropriate colleague will provide assistance as needed. Ultimately, certification is contingent on the district or college/university level evaluation of the candidate.

(II) Meet requirements of section (a) of 210:20-9-10.1, "...shall pass the applicable state competency examination(s)."

(3) Applicants who are certified out-of-state. The following provisions apply to applicants for Oklahoma teaching certificates who already hold certificates issued by another state:

(A) The State Board of Education shall issue a certificate to an applicant who submits a valid out-of-state teaching certificate, and has on file with the State Department of Education a current Oklahoma criminal history record check from the Oklahoma State Bureau of Investigation and a national criminal history record check as defined in 74 O.S. § 150.9. The applicant shall be responsible for the costs of the criminal history record checks. The Oklahoma certificate shall be valid only for the subject areas and grade levels most closely aligned to those recognized on the applicant's out-of-state certificate.

(B) An applicant who submits documentation of five (5) years or more of successful teaching experience as a certified teacher in an accredited school shall not be required to take any competency examinations in the subject areas and grade levels most closely aligned to those recognized on the applicant's out-of-state certificate. An applicant with fewer than five (5) years of successful teaching experience as a certified teacher in an accredited school must attain a passing score on the Oklahoma Subject Area Test (OSAT) for each area in which certification is sought, as well as the Oklahoma General Education Test (OGET) and the Oklahoma Professional Teaching Exam (OPTE).
210:20-9-102. Career development program for paraprofessionals

(a) **Paraprofessional credential.** The State Department of Education shall issue a paraprofessional credential to an applicant who meets all of the following requirements:

1. Has a high school diploma or a General Educational Development (GED) Diploma;
2. Has met a career development paraprofessional program approved by the State Board of Education; and
3. Has on file with the Board a current Oklahoma criminal history record from the Oklahoma State Bureau of Investigation as well as a national fingerprint-based criminal history record provided by the Federal Bureau of Investigation. Upon receipt of the Oklahoma criminal history record, the Board may issue a temporary credential which shall be effective until receipt of the national fingerprint-based criminal history record. The person applying for a credential shall be responsible for the cost of the criminal history records.

(b) **Provisional teaching certificates - paraprofessional.** The State Department of Education shall issue a one-year provisional teaching certificate, renewable for up to three years, in early childhood, elementary education, or special education to a paraprofessional who meets all of the following requirements:

1. Has been employed for one full school year (i.e., two consecutive semesters, three consecutive trimesters, or four consecutive quarters) with an accredited public or private school as a paraprofessional in the area for which a license is being pursued. For purposes of this paragraph, experience obtained while teaching with a non-traditional certification in special education issued in accordance with the provisions of 210:20-9-105 shall not count toward the one year experience requirement;
2. Has earned at least a bachelor's degree from a college or university whose accreditation is recognized by the Oklahoma State Regents for Higher Education and has attained a cumulative grade point average of not less than 2.5 on a 4.0 scale;
3. Has passed all of the following teacher competency examinations adopted by the Oklahoma Commission for Teacher Preparation prior to July 1, 2014, or adopted by the Commission for Educational Quality and Accountability on and after July 1, 2014:
   - (A) The Oklahoma General Education Test (OGET);
   - (B) The Oklahoma Subject Area Test (OSAT) in Early Childhood, Elementary Education, or Special Education; and
   - (C) The Oklahoma Professional Teaching Exam (OPTE) (PK-8);
4. Has on file with the State Board of Education a current Oklahoma criminal history record from the Oklahoma State Bureau of Investigation as well as a national fingerprint-based criminal history record provided by the Federal Bureau of Investigation. Upon receipt of the Oklahoma criminal history record, the Board may issue a temporary credential which shall be effective until receipt of the national fingerprint-based criminal history record. The person applying for a credential shall be responsible for the cost of the criminal history records;
5. Has made application to the Oklahoma State Department of Education.
(c) **Standard teaching certificate - paraprofessional.** The State Department of Education shall issue a standard teaching certificate to individuals who have met all of the requirements of (b) of this section and met all of the following requirements:

1. The applicant has successfully completed at least one (1) full school year (i.e., two consecutive semesters, three consecutive trimesters, or four consecutive quarters) of teaching service in a public or private school accredited by the State Board of Education or a private school accrediting organization approved by the Board;
2. The applicant provides at least two (2) favorable recommendations for granting a standard teaching certificate to the applicant from:
   - A school district board of education; and
   - The chair or director of the accredited teacher preparation program in which the applicant completed the coursework requirements set forth in (3) of this subsection.
3. Within three (3) years of initial issuance of the provisional teaching certificate in accordance with the provisions of (b) of this Section, the applicant has successfully completed twelve (12) semester hours of professional education coursework from an institution of higher education whose accreditation is recognized by the Oklahoma State Regents for Higher Education. The twelve (12) hours of coursework required by this paragraph shall consist of coursework that:
   - Is offered in a teacher preparation program that has been accredited by the Oklahoma Commission for Teacher Preparation prior to July 1, 2014 or accredited by the Commission for Educational Quality and Accountability on and after July 1, 2014;
   - Is related to the area of teacher certification sought;
   - Includes a minimum of three (3) semester hours in reading instruction.

(d) **Reporting.** Any individual who has been issued a provisional certificate in accordance with the provisions of (b) of this Section shall be reported on the certified personnel report and be considered as any other certified employee.
210:25-5-5. Auditing
(a) The statutes of the State of Oklahoma require the board of education of each school district to cause an annual audit of the district's financial activity. The audit must be made in accordance with State Statutes, State Board of Education Regulations and Federal Office of Management and Budget (OMB) Circular A-133, the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (2 C.F.R. Part 200). The State Board of Education shall examine each audit report and demand corrections of any existing deficiencies. It is mandatory that State Aid payments be withheld during noncompliance with the "School Audit Law" at 70 O.S. § 22-101 et seq.
(b) Auditing is process of examining documents, reports, systems of internal control, accounting and financial procedures, and other evidence to ascertain:
   (1) That the statements prepared from the accounts present fairly the financial position and results of financial operations of each of the school's funds;
   (2) That the school administration has properly complied with statutory requirements and the rules and regulations of the State Board of Education in the conduct of its financial transactions;
   (3) That the school's financial transactions have been conducted with mathematical accuracy and have been properly recorded;
   (4) That the school has complied with the terms of grants and special agreements;
   (5) That adequate stewardship has been exercised by the school board, its officers and employees in the conduct of their duties in the administration of school assets.
(c) The audit must encompass all of the school district's funds. The requirements in (b) of this Section form the basis for the reporting of the school's general, special revenue, capital projects and debt service funds. School activity funds, including school lunch funds, and other trust or fiduciary funds must also be included in the audit report.
(d) The accounting principles by which all audits will be performed are as follows:
   (1) The school district's accounting system must conform with the laws of the State of Oklahoma and the rules and regulations of the State Board of Education.
   (2) The school district's accounting system shall make it possible to demonstrate compliance with legal provisions.
   (3) The school district's accounting system shall clearly reflect the financial operations of the school district.
   (4) If accounting principles, procedures, or standards conflict with legal or regulatory provisions, the legal or regulatory provisions shall take precedence.
   (5) The accounting system shall be kept in the manner prescribed by the State Board of Education or in the manner of an accounting system approved by the State Board of Education.
   (6) The school district shall establish the funds prescribed or authorized by law and necessitated by sound financial judgment. The classification of funds shall be faithfully followed in the Estimate of Needs, Accounting System, Financial Reports, and Audits.
(7) A complete self-balancing group of accounts shall be established for each fund. Each such group will include all the accounts necessary to set forth the financial operations of the fund and to reflect compliance with legal and regulatory provisions.

(8) If a fixed asset fund is maintained, the accounts shall be kept on the basis of original cost, or the estimated cost if the original cost is not available, or in the case of gifts, the appraised value at the time received.

(9) The accounting system shall provide for budgetary control for both revenues and expenditures, and the financial statements will reflect, among other things, budgetary information.

(10) The accounts, except activity funds, shall be maintained on a modified cash basis in accordance with the laws of the State of Oklahoma or a school district may elect to file an application with the State Board of Education to convert to Generally Accepted Accounting Principles (GAAP) accounting. The State Board of Education will approve or reject the application based on the district's ability to implement the practice.

(11) Revenue and expenditures shall be classified in accordance with State Board of Education regulations in order to provide uniform accounting and consistent statistics.

(12) A cost accounting system is required. Cost accounting is in addition to a required financial accounting system, however, and must not be allowed to interfere with its uniform application. Although depreciation is not included in a required accounting system, it should be considered in determining unit cost when a cost accounting system is used.

(13) A common terminology and classification based upon that prescribed by State Board of Education rules and regulations, shall be used consistently throughout the estimate of needs, accounts, and financial reports.

(e) Primary audit procedures will consist of the following:

(1) Each Local Education Agency (LEA) will engage an independent auditor, approved by the Oklahoma State Auditor and Inspector, to examine its financial statements. Each LEA superintendent shall notify the State Board of Education, prior to the end of the fiscal year to be audited, of the independent auditor who has been engaged to conduct the audit.

(2) Where there are differences in state and federal standards due to the statutory and regulatory requirements in both levels of government, the LEA and the auditor will examine and adhere to both in order to be in total compliance.

(3) The Oklahoma State Department of Education will establish and maintain a monitoring system to assure that federal and state audit requirements are met. The Oklahoma State Department of Education will review each audit report and notify the appropriate federal program administrator of any deficiencies reported by the independent auditor regarding federal programs. The administrator will implement the procedures deemed necessary to resolve the exceptions noted by the auditor. The final result of the action taken will be filed with the audit report no later than 90 days after the program administrator has been advised of the auditor's findings.

(4) The State Board of Education may make inquiries and request additional documentation and response related to exceptions, recommendations or comments noted by an auditor.

(f) Audit report requirements are as follows:

(1) Audit reports may be presented in the following formats:

   (A) Schools which have obtained prior approval from the State Board of Education to use generally accepted accounting principles (GAAP), must use a straight GAAP Governmental Accounting Standards Board (GASB) No. 34 compliant presentation.
(B) Schools using the regulatory basis of accounting as defined by Oklahoma Statutes may use GASB 34 compliant audit report presentations.

(C) Schools using the regulatory basis of accounting as defined by Oklahoma Statutes may use another comprehensive basis of accounting as prescribed by the Oklahoma State Department of Education. An example of a school district single audit report presented in conformity with another comprehensive basis of accounting as prescribed by the Oklahoma State Department of Education is available in the Financial Accounting Section, State Department of Education. Schools need only present the funds and note disclosures that apply to the specific district. The example is not intended to take precedence over professional reporting standards and requirements.

(2) Informational statements will specify
   (A) Board members and officers
   (B) Statutory bonds
   (C) Other fidelity or honesty bonds
   (D) Insurance coverage
   (E) Other desirable statements

(3) Size of audit report will conform to the specified dimensions:
   (A) Length = Maximum, 11"
   (B) Width = Maximum, 8 1/2"

(4) Each audit report shall be presented to and reviewed with the local board of education in a public meeting as required by law. Each audit report must contain a signed Acknowledgement Page on a form supplied by the State Department of Education. The Acknowledgement Page will verify who presented the audit to the school board, the date the audit was reviewed with the local school board as well as the school board's acknowledgement that as the governing body of the district responsible for the district's financial and compliance operations the audit findings and exceptions, and any written correspondence from the auditor relating to the audit have been presented to them.

(g) Requirements specific to Federal programs must be included in each audit.

(1) Federal regulations (OMB Circular A-133, Uniform Administrative Requirements at 2 C.F.R. Part 200 and OMB Compliance Supplement) require a financial and compliance audit of programs receiving federal funds. These regulations (in accordance with P.L. 98-502) ensure that audits be made on an organization-wide basis rather than a grant-by-grant basis and according to the standards and procedures expressed therein. The Oklahoma State Department of Education shall serve as the recipient agency for these purposes for the local education agencies. Overclaim assessments may be levied where necessary when there has been a lack of compliance and treated as a current expenditure.

(2) This rule and the adoption of the standards and regulations for audits of local boards of education does not limit the authority of federal or state agencies to make audits of programs in the local education agencies, and is in keeping with OMB Circular A-133 Uniform Administrative Requirements, 2 C.F.R. Part 200. Some state and local governmental units in Oklahoma prepare their financial statements in conformity with a comprehensive basis of accounting other than generally accepted accounting principles. The Uniform Administrative Requirements do not prohibit such practice; nonetheless, as do generally accepted auditing standards, that auditors state in their report the departures from generally accepted accounting principles. However, any additional audit work must build on the work already done.
The auditor should clearly understand that A-133 Uniform Administrative Requirements audits require the expression of opinions and inclusion of comments in audit reports which go beyond the standard opinions and comments usually presented. Specifically, the audit report shall include:

(A) Financial statements, including footnotes, of the recipient organization.

(B) The auditors' comments on the financial statements which should:
   (i) Identify the statements examined, and the period covered.
   (ii) Identify the various programs under which the organization received Federal funds, and the amount of the awards received.
   (iii) Identify by a schedule showing receipts and disbursements for each grant program.
   (iv) State that the audit was done in accordance with the "General Accounting Office Standards for Audit of Governmental Organizations, Programs, Activities, and Functions," the "Guidelines for Financial and Compliance Audits of Federally Assisted Programs," any compliance supplements approved by OMB, and generally accepted auditing standards established by the American Institute of Certified Public Accountants.
   (v) Express an opinion as to whether the financial statements are fairly presented in accordance with generally accepted accounting principles. If an unqualified opinion cannot be expressed, state the nature of the qualification.

(C) The auditors' comments on compliance and internal control should:
   (i) Include comments on weaknesses in and noncompliance with the systems of internal control, separately identifying material weaknesses.
   (ii) Identify the nature and impact of any noted instances of noncompliance with the terms of agreements and those provisions of Federal law or regulations that could have a material effect on the financial statements and reports.
   (iii) Contain an expression of positive assurance with respect to compliance with requirements for tested items, and negative assurance for untested items.

(D) Comments on the accuracy and completeness of financial reports and claims submitted to state or federal agencies for federal fund advances or reimbursements.

(E) Comments on corrective action taken or planned by the recipient.

(F) Comments as to whether the indirect cost rates are appropriately calculated and applied.

(G) Audit findings should be reported in accordance with 2 C.F.R. § 200.516, "Audit findings."

These requirements are common to nearly all state and local funds and federal programs:

(A) Funds disbursed by other governments were received and properly identified.

(B) Interest earned on idle funds was credited to the proper funds.

(C) Unexpended funds or unearned federal funds advanced or overpaid were correctly accounted for.

(D) A system of encumbrance accounting was maintained which reported the amount obligated, disbursed, remaining unobligated balance, and outstanding unliquidated obligations for each fund and program.

(E) Obligations reported were actually incurred during the fiscal year or approved program period, and, upon liquidation, were properly adjusted.
(F) Payments reported: Were actually made to the vendors, contractors and employees; were supported by adequate evidence of delivery of goods or performance of services; and conformed to applicable laws and regulations, including procurement requirements.

(G) Refunds, discount, etc., were properly applied as reductions of the gross expenditures of the specific funds or programs.

(H) Costs, direct and indirect, were correctly prorated to the proper funds or programs.

(I) The same expenditure was not claimed under more than one program or reported as an expenditure for two fiscal or program years.

(J) Inventory requirements for materials and equipment purchased with federal funds were maintained.
210:10-13-22. Implementation of a system of school improvement and accountability
(a) **Purpose.** Accountability for student learning is the key focus of school improvement. Results from the statewide assessment program shall form the basis of the system of school improvement and accountability. Student achievement data from the State’s annual standardized assessments in grades three (3) through eight (8) and end-of-instruction tests administered under Section 1210.508 of Title 70 shall be used to establish both proficiency levels and annual progress for individual students, school sites, school districts, and the State. Results shall further be used as the primary criteria in calculating school performance grades as specified in subsection (f) of this rule and shall be annually reported. Results may further be used by the Legislature in calculating any performance-based funding policy that is provided to public school districts. The statewide assessment program shall be used to measure the annual learning gains of each student toward achievement of the State standards appropriate for the student's grade level and to inform parents of the educational progress of their public school children.
(b) **Overview and implementation.** The A-F school accountability system will be implemented in the year 2012, based on data from the 2011-2012 school year, and shall be reported annually thereafter. The school accountability system will be considered to be fully implemented with the following accountability elements:
   (1) Designation of overall school performance grades shall be based on a combination of the following:
      (A) Fifty percent (50%) on whole school performance, as measured by allocating one (1) point for each student who scores proficient or advanced on the criterion-referenced tests and end-of-instruction tests administered to students pursuant to the provisions of the Oklahoma School Testing Program at 70 O.S. §§ 1210.508 and 1210.523, summing the points, and dividing the points by the total number of students taking the tests;
      (B) Twenty-five percent (25%) on whole school growth, measured by allocating one (1) point for each student tested who maintains a score of "Proficient" or above, improves proficiency levels, or improves substantially within a proficiency level on the State's annual standardized assessments in reading and mathematics in grades three (3) through eight (8) and Algebra I and English II end-of-instruction tests administered to students pursuant to the provisions of the Oklahoma School Testing Program at 70 O.S. § 1210.508, summing the points, and dividing the points by the total number of students taking the tests;
      (C) Twenty-five percent (25%) on growth of the lowest twenty-five percent (25%) of students in the school, measured by allocating one (1) point for each student tested in the bottom twenty-five percent (25%) who maintains a score of "Proficient" or above, improves proficiency levels, or improves substantially within a proficiency level on the State's annual standardized assessments in reading and mathematics in grades three (3) through eight (8) and Algebra I and English II end-of-instruction tests administered pursuant to the provisions of the Oklahoma School Testing Program at 70 O.S. § 1210.508, summing the points, and dividing the points by the total number of students taking the tests.;
(2) In addition to the three criteria listed in (b)(1) of this Section, bonus points shall be calculated in accordance with the criteria set forth in (g) of this Section and added to the subtotal of component points to create a final report card index of points used to calculate the overall school performance grade of each school site.

(3) Schools shall earn a separate performance grade for each of the three criteria listed in (b)(1) and (f) of this Section. Additionally, schools shall earn an overall performance grade based on a combination of the criteria listed in (b)(1) and (f) and the bonus points earned in accordance with (g) of this Section.

(4) To ensure that student data accurately represent school performance, schools shall be required to assess at least ninety-five percent (95%) of eligible students to earn a school performance grade. Failure to assess at least ninety-five percent (95%) of eligible students will result in a letter grade reduction in the school's overall school performance grade. Schools assessing less than ninety percent (90%) of eligible students will result in the school earning an overall performance grade of F.

(c) **School Accountability for Student Performance.** All schools shall be accountable for performance. Each school is accountable for the performance of its entire student population. Student achievement data from the State's annual standardized assessment and end-of-instruction tests administered in this State shall be used to measure a school's student performance for the subject areas of reading, mathematics, social studies, science and writing.

(d) **Reporting Student Achievement Data for School Accountability.** Student achievement data shall be reported for all students in a school. Each year, reports of achievement data for all students shall be prepared for each school, each district, and the State. District reports shall be calculated in the same manner as a school site, aggregated at the student level and calculated in accordance with the requirements of 70 O.S. §§ 1210.545(B), (D) and (J).

(1) The scores will be computed from the number of eligible students enrolled in the school. Eligible students shall include all students enrolled for the full academic year ("FAY") in the school and taking the State's annual standardized assessments or end-of-instruction tests. For end-of-instruction exams, only first opportunity students are included in the calculation of eligible students. A full-time student shall be considered a "FAY" student if the student has been continuously enrolled from October 1 of school within the first twenty (20) instructional days of the school's instructional year through and including the date of administration of the exam, and has not experienced an enrollment lapse of ten (10) or more consecutive instructional days. The FAY determination shall be based on continuous enrollment and shall not be based on attendance determinations.

(2) All eligible students, regardless of disability or limited English proficiency classification, with valid state standardized assessment scores in reading and math in both the current school year and the previous school year are included in (f)(2) and (f)(3) of this Section regarding the determination of student learning gains. In addition, the inclusion of these students shall be applied to (b)(3) of this Section, regarding the percentage of students assessed. Current and previous school years' reading and math scores for students with disabilities assessed on the State's annual standardized alternate assessment shall be included in the determination of test scores, including achievement addressed in (f)(1) of this Section.

(3) The Superintendent of Public Instruction is authorized to designate a single school performance grade for schools that serve multiple levels: elementary and/or middle and/or high school grade levels. Designations shall be made based on the highest grade level offered by the school.
(A) If the highest grade offered by a school site is the sixth (6th) grade or below, the school shall be graded according to elementary school criteria.

(B) If the highest grade offered by a school site is the (7th) through tenth (10th) grade, the school shall be graded according to the middle school criteria. Schools in this category shall not earn advance coursework credit for ninth and tenth grade students completing high school coursework unless the course qualifies as advanced coursework pursuant to (g)(1)(B) or (g)(2)(A) of this Section.

(C) If the highest grade offered by a school site is the eleventh (11th) or twelfth (12th) grade, the school shall be graded according to high school criteria.

(4) The State Department of Education will verify that each school is appropriately classified by type before the issuance of school grades. School type is defined as the school level designation of a school based on the grade levels served: elementary, middle, high, or a combination across levels.

(5) For purposes of (f) of this Section, the determination of the proficiency level of eligible students exempted from one or more end-of-instruction exams in accordance with the requirements of 70 O.S. 1210.523 and the accompanying rule at 210:10-13-16(b)(7)-(8) shall be based upon the cut scores approved by the State Board of Education. Points shall be awarded and calculated for each "Proficient" or "Advanced" score in accordance with (f) of this Section.

(e) School Performance Grades. The measure of school accountability shall be the school performance grade. The Oklahoma State Board of Education is authorized to designate a school performance grade for each school that:

(1) For purposes of calculating student achievement pursuant to (f)(1), has at least ten (10) eligible students with valid student state standardized assessment scores.

(2) For purposes of calculating student growth pursuant to (f)(2), has at least ten (10) eligible students with valid student state standardized assessment scores or end-of-instruction test scores in reading or math in both the current and the previous school years.

(3) For purposes of calculating growth of the lowest twenty-five percent (25%) of students pursuant to (f)(3), has at least ten (10) eligible students with valid student state standardized assessment scores or end-of-instruction test scores in reading or math in the current and previous school years.

(4) A school shall not earn a grade for any component or criteria unless minimum N-size requirements established pursuant to this rule are met. Performance designations shall be made using School Performance Grades A+, A, A-, B+, B, B-, C+, C, C-, D+, D, D- and F. School performance grades shall be based on the assessments and criteria as specified in (f) of this Section and bonus points as specified in (g) of this Section. The Superintendent of Public Instruction is authorized to establish and adjust appropriate achievement level criteria to the extent allowed by law for submission to the State Board of Education for final approval.

(f) Criteria for Designating School Performance Grades. Overall school performance grades shall be based on a combination of the bonus points calculated in accordance with (g) and the points calculated in accordance with the three criteria outlined in (b)(1) of this Section: (1) whole school performance; (2) whole school growth; and (3) growth of the lowest twenty-five percent (25%).

(1) Whole school performance index. Student achievement scores are represented through a performance index, aggregated for each school, calculated based on all state standardized
assessments and/or end-of-instruction tests collectively, and by each subject area. A point value shall be given to each exam based on proficiency score. Points shall be summed and divided by the number of exams administered to eligible students.

(A) Points shall be assigned based on the following criteria:
   (i) Unsatisfactory = 0
   (ii) Limited Knowledge = 0
   (iii) Proficient = 1.0
   (iv) Advanced = 1.0

(B) A letter grade shall be earned based on the following criteria:
   (i) 90 points or Above = A
   (ii) 80 - 89 points = B
   (iii) 70 - 79 points = C
   (iv) 60 - 69 points = D
   (v) 59 points or Below = F

(2) Whole school growth index. Annual learning gains in reading and math are represented through a growth index, aggregated for each school. The score shall be calculated in whole and by subject-matter by assigning one point for each student who improves proficiency levels or improves substantially within a proficiency level from the previous school year to the current school year, divided by the number of students taking the tests.

(A) This calculation represents the number of eligible students who have:
   (i) Improved their state standardized assessment achievement level or state standardized alternative assessment achievement level, as applicable, from the previous school year to the current school year; or
   (ii) Improved their state standardized assessment achievement level or state standardized alternative assessment achievement level and such change in OPI from the previous school year to the current school year met or exceeded the State average of students with positive OPI change; or
   (iii) Maintained their proficient or satisfactory achievement level on the state standardized assessment or state standardized alternate assessment, as applicable, from the previous school year to the current school year.

(B) The growth index shall be calculated based on improved state standardized assessment and end-of-instruction test performance from the previous school year to the current school year. The growth index shall be calculated by subject-matter and by assigning a point value to the change in proficiency score from the previous year to the next. Points based on student gains shall be summed and divided by the number of exams administered, and shall include only eligible students for whom comparative test scores exist. Points shall be assigned based on the following criteria:
   (i) Change from Unsatisfactory to Limited Knowledge = 1.0
   (ii) Change from Unsatisfactory to Proficient or Satisfactory = 1.0
   (iii) Change from Unsatistsfactory to Advanced = 1.0
   (iv) Change from Limited Knowledge to Proficient or Satisfactory = 1.0
   (v) Change from Limited Knowledge to Advanced = 1.0
   (vi) Change from Proficient or Satisfactory to Advanced = 1.0
   (vii) Remain Proficient or Advanced from Year 1 to Year 2 = 1.0
(viii) Remained at Unsatisfactory from Year 1 to Year 2 and Meets or Exceeds State Average Positive Change or remained at Limited Knowledge from Year 1 to Year 2 and Meets or Exceeds State Average Positive Change = 1.0
(ix) Remained at Unsatisfactory from Year 1 to Year 2 and Fails to Meet or Exceed State Average Positive Change or remained at Limited Knowledge from Year 1 to Year 2 and Fails to Meet or Exceed State Average Positive Change = 0
(x) Remained at Unsatisfactory from the previous school year to the current school year, or remained at Limited Knowledge from the previous school year to the current school year, but demonstrates substantial improvement within a proficiency level = 1.0

(C) For purposes of this subparagraph, a student's improvement within a proficiency level will be considered "substantial improvement" if the student demonstrates an increase in Oklahoma Performance Index ("OPI") score from the previous school year to the current school year that meets or exceeds the average positive increase amongst all students in the State who increased their OPI score from the previous school year to the current school year.

(D) A letter grade shall be earned based on the following criteria:
   (i) 90 points or Above = A
   (ii) 80 - 89 points = B
   (iii) 70 - 79 points = C
   (iv) 60 - 69 points = D
   (v) 59 points or Below = F

(3) Growth of the lowest twenty-five percent of students. Improvement of the lowest twenty-five percent (25%) of students in reading and math shall be aggregated, as required by 70 O.S. § 1210.545. The score shall be calculated in whole and by subject-matter by assigning one point for each student in the bottom quartile who improves proficiency levels or improves substantially within a proficiency level from the previous school year to the current school year, divided by the number of students taking the test.

(A) The calculation of a positive change in OPI score that meets or exceeds the State's average growth represents the number of eligible students who have:
   (i) Improved their state standardized assessment achievement level or state standardized alternative assessment achievement level, as applicable, from the previous school year to the current school year; or
   (ii) Retained their state standardized assessment achievement level or state standardized alternative assessment achievement level and such change in OPI from the previous school year to the current school year met or exceeded the State average of students with positive OPI change.

(B) The score shall be based on improved state standardized assessment and end-of-instruction test performance from the previous school year to the current school year. Points based on student gains shall be summed and divided by the number of exams administered, and shall include only eligible students for whom comparative test scores exist. The growth of the lowest twenty-five percent (25%) shall be calculated based on the following criteria:
   (i) Change from Unsatisfactory to Limited Knowledge = 1.0
   (ii) Change from Unsatisfactory to Proficient or Satisfactory = 1.0
   (iii) Change from Unsatisfactory to Advanced = 1.0
(iv) Change from Limited Knowledge to Proficient or Satisfactory = 1.0  
(v) Change from Limited Knowledge to Advanced = 1.0  
(vi) Change from Proficient or Satisfactory to Advanced = 1.0  
(vii) Remain Proficient or Advanced from Year 1 to Year 2 = 1.0  
(viii) Remained at Unsatisfactory from Year 1 to Year 2 and Meets or Exceeds State Average Positive Change or remained at Limited Knowledge from Year 1 to Year 2 and Meets or Exceeds State Average Positive Change = 1.0  
(ix) Remained at Unsatisfactory from Year 1 to Year 2 and Fails to Meet or Exceed State Average Positive Change or remained at Limited Knowledge from Year 1 to Year 2 and Fails to Meet or Exceed State Average Positive Change = 0  
(x) Demonstrates substantial improvement within a proficiency level = 1.0  

(C) For purposes of this subparagraph, a student's improvement within a proficiency level will be considered "substantial improvement" if the student demonstrates an increase in Oklahoma Performance Index ("OPI") score from the previous school year to the current school year that meets or exceeds the average positive increase amongst all students in the State who increased their OPI score from the previous school year to the current school year.

(D) A letter grade shall be earned based on the following criteria:  
(i) 90 points or Above = A  
(ii) 80 - 89 points = B  
(iii) 70 - 79 points = C  
(iv) 60 - 69 points = D  
(v) 59 points or Below = F

(g) Bonus points. Each school can earn up to a maximum of ten (10) bonus points to be added to the subtotal of component points and applied toward their final grade. The criteria listed in (1), (2) and (3) of this subsection shall be used to calculate bonus points for high schools, middle schools, and elementary grade schools. Annually, the Oklahoma State Department of Education shall publish technical assistance specifically detailing the weighted formula and the projected availability of valid data used for computing bonus points. Technical assistance shall be published in time for school districts to make meaningful use of the information and data. A school district, charter school, or virtual charter school shall not be eligible to be awarded bonus points on its site report cards for attendance pursuant to (g)(3)(A) and (g)(2)(B) of this Section unless it has established a method for maintaining accurate records of student daily attendance and accurate reporting of student daily attendance that ensures compliance with the provisions of 70 O.S. §§ 5-117.3, 10-103.1, 10-106, 18-111, 18-116.

(1) High schools. Schools comprised of high school grades may earn up to a maximum of ten (10) bonus points as follows:  
(A) Four-year adjusted cohort graduation rate. A high school shall earn five (5) bonus points if its four-year adjusted cohort graduation rate meets or exceeds the criteria for earning an "A" for the high school graduation rate of the school. The criteria for earning an "A" for this component shall be met if a school's four-year adjusted cohort graduation rate meets or exceeds ninety percent (90%). The calculation of the four-year adjusted cohort graduation rate shall only include students counted as on-time graduates as defined by federal regulations.

(B) Participation or performance in accelerated coursework. One (1) bonus point shall be awarded to each high school that meets or exceeds the criteria for earning an "A"
in either student participation or student performance in accelerated coursework. The
criteria for earning an "A" for this component shall be met if the school achieves either a
student participation rate of seventy percent (70%) or higher in accelerated coursework or
a student performance rate of ninety percent (90%) or higher in accelerated coursework.
Student participation and performance rates shall be calculated as follows:

(i) **Participation in accelerated coursework.** Participation in accelerated
coursework, is defined as participation in Advanced Placement (AP) courses,
International Baccalaureate (IB) programs, concurrent enrollment, Advanced
International Certificate of Education (AICE) courses, and industry certification
courses. For this component, participation shall be calculated for the school year by
dividing a count of accelerated coursework participants in grades nine (9) through
twelve (12) (numerator) by the count of all students enrolled in grades eleven (11)
and twelve (12) (denominator). For this component, a student must earn a passing
grade in the course in order to be counted as a participant. Schools shall earn credit
for every accelerated course in which a student is enrolled. Students enrolled in
multiple accelerated courses shall be counted once for each course in which they are
enrolled. In calculating a percentage for this component, participation rate shall
include all enrollment data regardless of whether the course was taught at the high
school, at a career technology center, an accredited college or university, or at a
regional site of the Oklahoma School of Science and Mathematics.

(ii) **Performance in accelerated coursework.** Performance in concurrent
enrollment, Advanced International Certificate of Education (AICE) courses,
Advanced Placement (AP), International Baccalaureate (IB), and industry
certification courses. For this component, the numerator of the performance
calculation shall include all students in grades nine (9) through twelve (12) who took
an accelerated course or subject area examination during the academic year. AICE
successful completion is defined as earning a "C" or higher and being awarded credit
for specific postsecondary course(s). For concurrent enrollment, successful
completion is defined as a passing grade of "C" or higher in a concurrent enrollment
course for college credit. For industry certification, successful completion is defined
as earning a "C" or better in the course leading to industry certification. Schools can
earn additional successful completions for students who achieve industry
certifications that result in credit for more than one (1) college course through
statewide articulation agreements. For AP and IB performance, credit shall be earned
based for each student scoring a three (3) or better on the AP exams, or a four (4) or
better on IB exams. For purposes of this component, a school shall earn credit for
every course in which a student demonstrates the required level of performance. In
calculating a percentage for this component, performance shall include all
coursework regardless of whether the course was taught at the high school, at a career
technology center, an accredited college or university, or at a regional site of the
Oklahoma School of Science and Mathematics.

(C) **ACT and SAT participation or performance.** One (1) bonus point shall be
awarded to each high school that meets or exceeds the criteria for earning an "A" in either
student participation or performance on ACT or SAT college entrance exams. The
criteria for earning an "A" for this component shall be met if a school achieves a rate of
seventy-five percent (75%) or higher percentage of either student participation or
performance on college entrance exams. Student participation and performance rates shall be calculated as follows:

(i) **ACT and SAT participation.** High schools may earn one (1) bonus point based on the calculated percent of students taking the ACT and/or SAT. The percent is calculated by dividing the number of twelfth (12th) grade students who have taken the ACT and/or SAT tests, divided by the number of students enrolled in grade twelve (12). Students will be counted once for the ACT and/or once for the SAT, regardless of the number of times or at which grade levels the test(s) are taken. The high school will earn credit for the most recent test score reported at the time the test is administered.

(ii) **ACT and SAT performance.** High schools may earn one (1) bonus point based on the percentage of students scoring an ACT composite score of 20 or greater based on 36-point scale, and/or an SAT score of 1410 or greater based on a 2400-point scale. Students will be counted once for the ACT and/or once for the SAT, regardless of the number of times or at which grade levels the test(s) are taken. The high school will earn credit for the most recent test score reported at the time the test is administered.

(D) **High school graduation rate of eighth (8th) graders.** One (1) bonus point shall be awarded to each high school that meets or exceeds the criteria for earning an "A" for the high school graduation rate of students who scored at limited knowledge or unsatisfactory on the eighth (8th) grade reading and mathematics criterion-referenced test administered pursuant to the Oklahoma State Testing Program (OSTP). The criteria for earning an "A" for this component shall be met if a school achieves a graduation rate of eighty-five percent (85%) or higher for its students who scored at limited knowledge or unsatisfactory on the eighth grade reading and mathematics tests. For this component, schools shall be eligible to earn the bonus point based on the calculation of the graduation rate of this population of eighth (8th) graders, regardless of where the student attended the eighth (8th) grade.

(E) **Overall EOI performance.** Upon the availability of valid student assessment data, one (1) bonus point shall be awarded to a high school if eighty percent (80%) or more of its graduates from the previous school year have scored either a "Satisfactory/Proficient" or "Advanced" on six (6) out of the seven (7) secondary level EOI assessments required by the Oklahoma School Testing Program Act at 70 O.S. § 1210.508(A)(6).

(F) **Year-to-year growth.** Upon the availability of valid student data, one (1) bonus point shall be awarded to each high school which demonstrates improvement from the previous school year in at least three (3) of the five (5) components used to calculate bonus points set forth in (1)(A) through (1)(E) of this subsection. For purposes of this subparagraph, a high school will be deemed to have demonstrated improvement in a category if the school has received bonus points in that category for two consecutive years (i.e., the current report card and the previous year's report card). In the alternative, a high school can demonstrate improvement in a category by meeting the following criteria specified in the category:

(i) **Four-year adjusted cohort graduation rate.** A high school demonstrates improvement by increasing its four-year adjusted cohort graduation rate in (1)(A) of this subsection by at least ten percent (10%) of the difference between the previous year's graduation rate and one hundred percent (100%).
(ii) **Participation or performance in accelerated coursework.** A high school demonstrates improvement by increasing its rate of participation or performance in accelerated coursework in (1)(B) of this subsection by five percent (5%) or more.

(iii) **ACT and SAT participation or performance.** A high school demonstrates improvement by increasing its rate of participation or performance in ACT or SAT in (1)(C) of this subsection by at least ten percent (10%) of the difference between the previous year's rate and one hundred percent (100%).

(iv) **High school graduation rate of eighth (8th) graders.** A high school demonstrates improvement by increasing its high school graduation rate of eighth graders in (1)(D) of this subsection by at least ten percent (10%) of the difference between the previous year's graduation rate and one hundred percent (100%).

(v) **Overall EOI performance.** A high school demonstrates improvement by increasing its overall rate of EOI performance in (1)(E) of this subsection by at least ten percent (10%) of the difference between the previous year's rate and one hundred percent (100%).

(2) **Middle schools.** Schools comprised of middle school grade smay earn up to a maximum of ten (10) bonus points as follows:

(A) **The percentage of students who are taking higher level coursework at a satisfactory or higher level in middle school.** Middle schools shall earn two (2) bonus points for meeting or exceeding the criteria for earning an "A" on the rate of the school's middle school students who take accelerated coursework at a satisfactory or higher level. The criteria for earning an "A" for this component shall be met if the school achieves a participation rate of thirty percent (30%) or higher percentage of middle school students taking traditional high school courses pre-Advanced Placement courses, or honors courses in a traditional classroom or in a virtual environment who score at a satisfactory level or higher on the corresponding state standardized assessment. Schools shall earn credit for every accelerated course in which a student is enrolled. Students enrolled in multiple accelerated courses shall be counted once for each course in which they are enrolled.

(B) **Attendance.** Middle schools will earn six (6) bonus points for for meeting or exceeding the criteria for earning an "A" for middle school student attendance. The criteria for earning an "A" for this component shall be met if the school achieves a student attendance rate of ninety-four percent (94%) or higher. This rate is the Average Daily Attendance (ADA) divided by the Average Daily Membership (ADM). ADA is calculated by dividing the total number of days students were present by the number of days in the school calendar or by dividing the number of hours students were present by the number of hours in the school calendar, whichever applicable. ADM is calculated by dividing the total number of days students were enrolled in school by the number of days in the school calendar or by dividing the number of hours students were enrolled by the number of hours in the school calendar, whichever applicable.

(C) **Dropout rate.** Middle schools shall earn two (2) bonus points for meeting or exceeding the criteria for earning an "A" for the drop-out rate of the school. The criteria for earning an "A" for this component shall be met if the school achieves a rate of zero point nine percent (0.9%) or lower of the annual number of students reported as dropouts to the Oklahoma State Department of Education on the Annual Dropout Report.
(3) **Elementary schools.** Schools comprised of elementary school grades shall earn ten (10) bonus points as follows:

(A) **Attendance.** Elementary schools will earn ten (10) bonus points for meeting or exceeding the criteria for earning an "A" on student attendance. The criteria for earning an "A" shall be met if the school achieves a student attendance rate of ninety-four percent (94%) or greater. This rate is the Average Daily Attendance (ADA) divided by the Average Daily Membership (ADM). ADA is calculated by dividing the total number of days students were present by the number of days in the school calendar or by dividing the number of hours students were present by the number of hours in the school calendar, whichever applicable. ADM is calculated by dividing the total number of days students were enrolled in school by the number of days in the school calendar or by dividing the number of hours students were enrolled by the number of hours in the school calendar, whichever applicable.

(h) **Technical assistance.** Annually, the Oklahoma State Department of Education shall publish technical assistance specifically detailing the weighted formula used for computing bonus points. Technical assistance shall be published in time for school districts to make meaningful use of the information and data.

(i) **School Performance Grading Scale.** The School Performance Grade shall be based on a combination of the factors outlined in sub-section (b)(1) and detailed in (f) and (g) of this Section. Fifty percent (50%) shall be based on student test scores; twenty-five percent (25%) on student learning gains; and twenty-five (25%) on improvement of the lowest twenty-five percent (25%) of students in the school in reading and mathematics. Letter grades will be calculated according to the assigned weight of each criteria and by combining points earned for each component within each criteria. The school performance grade will be assigned according to the following scale:

1. Ninety-seven percent (97%) to one-hundred and ten percent (110%) = A+
2. Ninety-three percent (93%) to ninety-six percent (96%) = A
3. Ninety percent (90%) to ninety-two percent (92%) = A-
4. Eighty-seven percent (87%) to eighty-nine percent (89%) = B+
5. Eighty-three percent (83%) to eighty-six percent (86%) = B
6. Eighty percent (80%) to eighty-two percent (82%) = B-
7. Seventy-seven percent (77%) to seventy-nine percent (79%) = C+
8. Seventy-three percent (73%) to seventy-six percent (76%) = C
9. Seventy percent (70%) to seventy-two percent (72%) = C-
10. Sixty-seven percent (67%) to sixty-nine percent (69%) = D+
11. Sixty-three percent (63%) to sixty-six percent (66%) = D
12. Sixty percent (60%) to sixty-two percent (62%) = D-
13. Fifty-nine percent (59%) and below = F

(j) **Accuracy and Representativeness of Performance Data.** The Oklahoma State Department of Education shall review all information submitted by school districts to represent the performance of schools receiving a school performance grade.

(1) Each school district superintendent shall designate a school accountability contact person to be responsible for verifying accuracy of data.

(2) The Superintendent of Public Instruction shall withhold the designation of a school's performance grade if he or she determines that the performance data does not accurately represent the progress of the school.
(A) Circumstances under which a school's performance data may be considered to not accurately represent the progress of the school include:

(i) Less than ninety-five percent (95%) of the school's student population eligible for inclusion in the designation of the school's performance grade was assessed.

(ii) Circumstances identified before, during, or following the administration of any state assessment where the validity or integrity of the test results are called into question and are subject to review as determined by the State Department of Education.

(k) Data verification by school sites/districts. School sites shall be provided an opportunity to review all data used to calculate the school performance grade and the calculation of the school performance grade.

(1) Initial Data Verification. Initial data verification of the data used to calculate school performance grades shall occur throughout the school year as data becomes available to the State Department of Education. School district accountability staff shall have the opportunity to perform data verification and confirm that data being used to calculate school performance grades are accurate prior to the review period required by (k)(2) of this rule. The school district shall have at least thirty (30) calendar days to review and request corrections to each new data component, as it becomes available. No requests for changes to data shall be made after the expiration of the respective thirty (30) calendar day review period. For purposes of this paragraph only, a "new data component" means a data component that has not been previously submitted to the State Department of Education in accordance with other state or federal reporting requirements.

(2) Calculation Verification. Prior to the final release of school performance grades, a school district shall have at least ten (10) calendar days to certify the calculation of the performance grade. If the school district determines that a different performance grade should be assigned because of the omission of student data, a data miscalculation, or special circumstances that might have affected the grade assigned, school districts may submit a request for a review of the data calculation to the State Department of Education. All evidence supporting the district's claim of a calculation error and documentation of all elements to be reviewed by the Department must be submitted within the time limits specified in this subsection. No request for review of the calculation shall be accepted after the expiration of the ten (10) calendar day review period. Changes to the criteria, data, or process shall not be considered as part of this review.

(3) Data deemed certified. To ensure timely issuance of the school report cards in accordance with the requirements of 70 O.S. § 1210.545, any data component verification or calculation verification for which a district fails to timely review and certify as accurate in accordance with the provisions of (1) or (2) of this subsection shall be deemed certified as accurate by the district and districts shall not be permitted to request further corrections to the data.

(l) Final determination. The Oklahoma State Board of Education's determination of a school's performance grade shall be final.

(m) Planned System Enhancements. As indicated in this subsection, planned enhancements will occur in the System of School Improvement and Accountability. The Superintendent of Public Instruction will periodically recommend additional changes to the system to the State Board of Education for approval as necessary to ensure that continuous improvements are made in the educational programs of the State. Performance data shall be reviewed annually to
determine whether to adjust the school grading scale for the following year's school grades. Adjustments may include, but shall not be limited to grading criteria, classification of school type, point calculations, point requirements, and minimum points necessary to obtain a certain grade. Adjustments may reset the minimum required number of points for each grade.

(n) **Virtual education providers and virtual charter schools.** Any virtual provider that offers full-time online programs for students enrolled in charter schools sponsored by a school district, technology center school district, higher education institution, a federally recognized Indian tribe, or the State Board of Education, in accordance with the provisions of the Oklahoma Charter Schools Act shall be considered a "virtual charter school."

   (1) Each virtual charter school and each school district which contracts with a virtual charter school or virtual education provider shall identify its full-time virtual students who do not live in the physical boundaries of the school district with which the sponsor is associated.

   (A) Each virtual charter school and each school district shall report the achievement data of its full-time virtual students who are not residents of the district in which the sponsor is located separate from the achievement data of its full time virtual students who are residents of the district of sponsorship.

   (B) The performance of non-resident full-time virtual students identified in (1) of this subsection shall be excluded from the determination of the overall school performance letter grade of the sponsoring school district, but shall be included in the overall school performance letter grade of the virtual charter school as resident students.

   (2) Any virtual provider that contracts with a school district to provide full-time virtual education for resident students of the school district shall be considered a separate site within the school district for accountability purposes and shall be issued a separate report card that includes performance of full-time virtual students identified in (1) of this subsection as residents of the school district with which the provider contracts.

(o) **Statewide virtual charter schools.** Any virtual provider sponsored as a charter school by the Statewide Virtual Charter School Board shall be considered a "statewide virtual charter school."

   (1) Each statewide virtual charter school will be considered a separate school site and "district" of the Statewide Virtual Charter School Board for accountability purposes and will be subject to the system of school improvement and accountability established by 70 O.S. § 1210.545 and the accompanying provisions set forth in this Section.

   (2) The performance of all eligible students enrolled in a statewide virtual charter school shall be included in the calculation of the overall school performance letter grade of the virtual charter school. For purposes of this Section, any student enrolled full-time in a statewide virtual charter school who resides within the borders of the state shall be considered a resident student of the statewide virtual charter school.
210:15-37-1. Workplace safety training in schools
School districts are encouraged to inform teachers of students in grades seven (7) through twelve (12) about the importance of incorporating workplace safety training in their curriculum. The Oklahoma Department of Labor has prepared a free "Youth @ Work Talking Safety" curriculum for this purpose, available through the Oklahoma State Department of Education website.
210:35-3-228. Required application criteria to be considered for requests for deregulations, waivers of statutory requirements, and participation in the School District Empowerment Program

(a) Applications. The State Department of Education shall develop an application for use by school districts in seeking approval from the State Board of Education of requests for:

(1) Waivers from a statutory requirement;
(2) Deregulation from a State Department of Education regulation; or
(3) Participation in the School District Empowerment Program, by obtaining a waiver from all statutory requirements and State Board of Education rules from which charter schools are exempt under the Oklahoma Charter Schools Act.

(b) Criteria for applications for deregulation, waivers, or participation in the School District Empowerment Program. The application submitted shall meet all of the following requirements:

(1) Alternate strategies. The application shall clearly state the alternate strategy(ies) which the school district proposes to utilize and the needed resources to meet clearly stated objectives as a result of the proposed deregulation, waiver, or participation in the School District Empowerment Program. The specific objectives to be focused on as a result of deregulated status shall be clearly delineated.

(2) Student performance. The application shall clearly specify and describe the expected student performance levels to be demonstrated and evaluated as a result of the proposed deregulation, waiver, or participation in the School District Empowerment Program.

(3) Standard(s) to be deregulated or statutes to be waived. The application shall clearly identify/state the regulation(s) from which the school district is proposing to be deregulated or the statute(s) for which the school district seeks a waiver.

(4) Financial impact. The application shall clearly delineate the projected financial impact the proposed deregulation, waiver, or participation in the School District Empowerment Program would create.

(5) Timeline(s). The application shall clearly delineate the proposed timeline(s) which, if approved, will apply to the deregulation, waiver, or participation in the School District Empowerment Program. The proposed timeline for implementation shall include:

(A) The date(s) the school district proposes to implement the deregulation, waiver, or participation in the School District Empowerment Program; and
(B) The date(s) proposed to terminate the deregulation, waiver, or participation in the School District Empowerment Program, which shall be no longer than:

(i) Waivers and deregulations: One Three (3) years from the date of implementation of a waiver or deregulation;
(ii) School District Empowerment Program: Three (3) years from the date of implementation of the district's empowerment plan.
(6) **Local board approval.** The application shall contain the original signature of the school district superintendent and the president of the local board of education certifying that the local board of education has approved the application for deregulation, waiver, or participation in the School District Empowerment Program in accordance with the provisions in the bylaws, policies, and/or procedures of the school board governing transaction of business.

(c) **Applications for School District Empowerment Program.** In addition to the requirements set forth in (b) of this Section, all applications by the school district for participation in the School District Empowerment Program shall submit a comprehensive plan which identifies the goals sought to be achieved through deregulation and the anticipated educational and fiscal benefits, impacts, and outcomes for all schools in the district resulting from participation in the School District Empowerment Program. Applications for participation in the School District Empowerment Program shall be submitted and reviewed in accordance with the procedures set forth in 210:35-3-229.