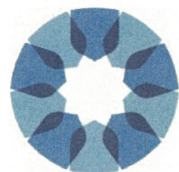


# Education Laws And Agency Rules



**First Regular Session of the  
59<sup>th</sup> Oklahoma Legislature**

**June 14, 2023**



**CCOSA**



# CCOSA New Laws and Rules 2023

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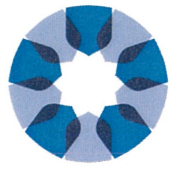
**Approved by the Legislature**

- \*Professional Development Programs  
(Including Play-based Learning)
- \*Adjunct Teachers
- \*English Language Learner Programs
- \*Concurrent Enrollment
- \*Guidance and Counseling Services
- \*Advanced, Lead, and Master Teachers
- \*Site and Buildings (Gendered Restrooms)

**Neither Approved nor Disapproved by the  
Legislature**

- \*Parental Rights
- \*The Media Program

\*Effective Upon Signature of the Governor



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The Cooperative Council for  
Oklahoma School Administration

**NEW LAWS IMPACTING  
ADMINISTRATORS**

**2023**

## HB 1029: Requires Homeless Student Form

- Requires districts to use the State Department of Education (SDE) Office of Federal Programs **standard form** to identify homeless students beginning in the SY2024-2025.
- Prescribes that parents, or students if they are not in their parent's custody, must fill out the form **annually** at enrollment.
- Directs districts to report homeless student information as prescribed by the SDE to the SDE by June 1 annually.
- Effective November 1, 2023.



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## HB 1041: Provides Alternate Diploma

- Beginning in SY2023-24, a school district can issue an alternate diploma to a student who meets the definition of a student with the most significant cognitive disabilities and participates in the Oklahoma Alternate Assessment Program (OAAP).
- An alternate diploma is standards-based, aligned with requirements for a standard diploma and must be obtained by the school year in which the student turns 22.
- An alternate diploma shall not terminate a Free Appropriate Public Education (FAPE) for students with an IEP unless they reach the maximum age of FAPE. The IEP team determines subsequent courses and services for students who receive an alternate diploma.



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## HB 1041: Provides Alternate Diploma, cont'd

- Students participating in the OAAP shall not be precluded from attempting to meet the requirements of a standard diploma.
- Students' participation in the OAAP shall not determine their educational setting under the IDEA, meaning that the Least Restrictive Environment (LRE) provisions of the IDEA apply to these students as they do to all students with disabilities.
- Students who meet requirements for an alternate diploma may count as having received a standard diploma for purposes of calculating and reporting the adjusted cohort graduation rate (ACGR).
- A student may be awarded an alternate diploma upon completion of the curriculum units or sets of competencies at the secondary level on the following slide.



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## HB 1041: Provides Alternate Diploma, cont'd

Language Arts	4 units or sets of competencies based on alternate academic achievement standards to consist of reading literature, reading informational text, writing, speaking and listening, and language in the following courses: English 1 Alternate, English 2 Alternate, English 3 Alternate and English 4 Alternate.
Mathematics	3 units or sets of competencies based on alternate academic achievement standards to consist of number, quantities, algebra, functions/statistics, probability and geometry in the following courses: Math Alternate 1, Math Alternate 2 and Math Alternate 3.
Science	3 units or sets of competencies based on alternate academic achievement standards to consist of life science, physical science and earth science in the following courses: Life Science Alternate, Physical Science Alternate and Earth Science Alternate.
Social Studies	3 units or sets of competencies based on alternate academic achievement standards to consist of United States History, United States Government, Oklahoma History, Geography and Social Studies in the following courses: Social Studies Alternate 1, Social Studies Alternate 2 and Social Studies Alternate 3.
Arts	1 unit or set of competencies which may include, but is not limited to, courses in Visual Arts and General Music.
Computer Education or World Language	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 or 1 unit or set of competencies of world or non-English language.
Career Readiness	At least 2 units of Career Readiness, including Career Readiness I, Career Readiness II, Career Readiness III, or Career Readiness IV. Each Career Readiness course may be substituted for Careers/Exploration, Internship I, or Internship II.
Life Skills	At least 2 units of Life Skills, such as Life Skills I, Life Skills II, Life Skills III, or Life Skills IV. Each Life Skills course may be substituted for the Life Skills or Family and Consumer Science courses.

4

## HB 1041: Provides Alternate Diploma, cont'd

- Courses in the core curriculum may be used as a substitute for corresponding courses required by the alternate diploma. Other courses may be substituted as determined by SBE.
- On June 1, OSDE released **Public Notice for Public Comment: Proposed Oklahoma Alternate Standards**. The proposed Oklahoma alternate standards for **social studies, career readiness and life skills** have been developed for public review and comment prior to the final proposal being submitted to SBE in July 2023 - [Public Notice for Public Comment](#).
- Copies of the proposed Oklahoma alternate standards are available for public review at OSDE, Office of Special Education Services, 2500 N Lincoln Boulevard, Suite 411, OKC 73105-4599 or online at [Public Comment: Alternate Diploma Standards](#).
- Effective July 1, 2023.



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## HB 1441: Reduces PD Requirements

- Reduces Oklahoma requirements for certain professional development (pd) for a variety of school employees. Federal requirements remain.
- **NEW:** CCOSA worked with legislators on HB 1441 (2023) for **a reduction in requirements** for professional development; the update is **reflected below with reductions from prior year highlighted in green**. One new additional pd requirement is **Dysgraphia, an addition from HB 2768 (2022)**.
- See the following two pages for a detailed description of required Professional Development (SY2023-2024).



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# Required Professional Development (2023-2024)

Both Oklahoma and federal laws and regulations require or suggest certain professional development (pd) for a variety of school employees.

**NEW:** CCOSA worked with legislators on HB 1441 (2023) for a **reduction in requirements** for professional development; the update is **reflected below with reductions from prior year highlighted in green**. One new additional pd requirement is **Dysgraphia, an addition from HB 2768 (2022)**.

2023	2024
<p><u>All Staff, Every Year</u></p> <ol style="list-style-type: none"> <li>Bloodborne pathogens</li> <li>FERPA (Family Education Rights and Privacy Act)</li> <li>Title IX: Sex Discrimination               <ol style="list-style-type: none"> <li>Awareness training of local Board policies and grievance procedures</li> </ol> </li> <li>Title IX: McKinney-Vento Homeless Assistance</li> <li>Hazardous Communications</li> <li>Bullying prevention (suicide awareness &amp; prevention training, required every other year, can be combined with bullying prevention)</li> <li>Suicide Awareness</li> <li>Child Abuse and Neglect; Child Sexual Abuse Awareness and Reporting</li> </ol>	<p><u>All Staff, Every Year (Federal Requirements)</u></p> <ol style="list-style-type: none"> <li>*Bloodborne pathogens</li> <li>*FERPA (Family Education Rights and Privacy Act)</li> <li>***Title IX: Sex Discrimination               <ol style="list-style-type: none"> <li>Awareness training of local Board policies and grievance procedures</li> </ol> </li> <li>*Title IX: McKinney-Vento Homeless Assistance</li> <li>*Hazardous Communications</li> </ol> <p><u>New Staff; All Staff (once every 5 years)</u> For all new staff; and then, once staff has received initial training, one time every five years or at the district's discretion, as designated below</p> <ol style="list-style-type: none"> <li>*Bullying prevention</li> <li>**Suicide Awareness</li> </ol>
<p><u>New Staff; Certified &amp; Support Staff</u> For all new staff; and then, once staff has received initial training, one time every three years or at the district's discretion</p> <ol style="list-style-type: none"> <li>Alcohol and Drug Awareness (one time every three years once staff has received initial training)</li> <li>Recognizing and Addressing Mental Health Needs of Students (one time every three years once staff has received initial training)</li> <li>Digital Teaching and Learning (timing based on local district's need and discretion once staff has received initial training)</li> </ol>	<p><u>New Staff; Certified Staff (once every 5 years)</u> For all new staff; and then, once staff has received initial training, one time every five years or at the district's discretion, as designated below</p> <ol style="list-style-type: none"> <li>*Child Abuse and Neglect; Child Sexual Abuse Awareness and Reporting</li> <li>*Alcohol and Drug Awareness</li> <li>*Recognizing and Addressing Mental Health Needs of Students</li> <li>*Digital Teaching and Learning (timing based on local district's need and discretion once staff has received initial training)</li> </ol>
<p><u>New Staff; Certified &amp; Support Staff (PK-3)</u> One time every three years once staff has received initial training</p> <ol style="list-style-type: none"> <li>Autism</li> </ol>	<p><u>New Staff; Certified &amp; Support Staff (PK-3)</u> One time every three years once staff has received initial training</p> <ol style="list-style-type: none"> <li>Autism</li> </ol>
<p><u>All Certified Staff, Every Year</u></p> <ol style="list-style-type: none"> <li>Dyslexia</li> </ol> <p><u>At District Discretion</u></p> <ol style="list-style-type: none"> <li>Workplace Safety Training (grades 7-12 only) (timing based on local district's need and discretion once staff has received initial training)</li> </ol>	<p><u>All Certified Staff, Every Year</u></p> <ol style="list-style-type: none"> <li>Dyslexia &amp; <b>Dysgraphia (NEW)</b></li> </ol> <p><u>At District Discretion</u></p> <ol style="list-style-type: none"> <li>Workplace Safety Training (grades 7-12 only) (timing based on local district's need and discretion once staff has received initial training)</li> </ol>

\*CCOSA District Level Services (DLS) Program provides all-staff training on these topics

\*\*CCOSA District Level Services Program provides links to free online training for Suicide Awareness from state-required sources and verification of completion form.

\*\*\* CCOSA District Level Services (DLS) Program provides information for use by local Title IX compliance officers with the verification of completion form.

## Required Professional Development (2023-2024)

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The listed professional development listed on the front page include Oklahoma-required Professional Development trainings, but you have local control for how you implement the training. You can invite in experts to facilitate the training or you can join CCOSA's District Level Services and have access to free resources that fulfill the requirements. **Be sure to document every staff member that completes the training and keep it on file for state department of education accreditation documentation purposes and/or federal monitoring requirements.**

FY2023 Accrediation required attendance documentation and agendas for Dyslexia and Reporting Child Abuse.

*Each program may also include components on classroom management and student discipline strategies, outreach to parents, guardians or custodians of students, special education, and racial and ethnic education.*

These required Professional Development sessions are a part of the larger district professional development program focused on student achievement as is outlined in 70 O.S. § 6-194 (OSCN 2023):

*The **professional development** programs adopted shall be directed toward development of competencies and instructional strategies in the core curriculum areas for the following goals:*

- 1. Increasing the academic performance data scores for the district and each school site;*
- 2. Closing achievement gaps among student subgroups;*
- 3. Increasing student achievement as demonstrated on state-mandated tests and the ACT;*
- 4. Increasing high school graduation rates; and*
- 5. Decreasing college remediation rates*

### Certified Teachers (PK-5) Every Year

- Science of Reading** (for districts receiving greater than \$2500 in RSA funds, 10% must be spent on evidence-based PD from an OSDE approved list)  
(<https://tinyurl.com/RSAapprovedlist>)

### All coaches in grades 7-12

All courses can be found on NFHSLearn.com

Concussion Management course (<https://nfhslearn.com/courses/concussion-in-sports-2>)

Heat Illness Prevention course (<https://nfhslearn.com/courses/heat-illness-prevention-2>)

Sudden Cardiac Arrest course (<https://nfhslearn.com/courses/sudden-cardiac-arrest>)

### First year coaches

Fundamentals of Coaching course (<https://nfhslearn.com/courses/fundamentals-of-coaching>)

### All cheer coaches

AACCA Spirit Safety Certification course

May 10, 2023

## HB 1542: Allows Food Donation from Cafeteria

- Grants civil immunity to any restaurant/school that donates prepared foods at no charge.
- Provides that a school will not be liable for damages caused by the condition of the donated food unless it is grossly negligent, intentional in its actions or knew or should have known about the condition of the food that resulted in the damages.
- Effective November 1, 2023.



7

## HB 2559: Expands Inspired to Teach Program SB 28x: Funds Program for FY24 (\$17.4M)

- Changes the name of the *Oklahoma Future Teacher Scholarship and Employment Incentive* to the *Inspired to Teach Program*.
- Permits students who have completed high-school level instruction at home or completed General Educational Development (GED) test requirements to participate in the program.
- Defines the term "full-time student" as an undergraduate who is:
  - Enrolled in 12 or more credit hours per semester;
  - A teacher education major who is enrolled in or has completed an internship or student teaching credit hours in order to complete the degree program prior to certification and who has been approved to take less than twelve (12) credit hours; or
  - A teacher education major with an approved reasonable accommodation from Student Accessibility Services at the institution due to a documented disability and who has been approved to take less than twelve (12) credit hours.
- Effective November 1, 2023.



8

## HB 2679: Adjusts Definitions & Ending Date for Teacher Certification Pilot Program

- Expands provider program requirements for implementing new and innovative pathways toward teacher certification pilot program to include:
  - The instructional capacity within an existing novice teacher support program, the ability to obtain the instructional capacity, or has established a partnership with an accredited higher education institution to provide adequate instruction.
- Moves ending date of pilot program to July 1, 2026.
- Effective July 1, 2023.



9

## HB 2903: Establishes School Security Grants

- Establishes a 3-year pilot program for school security (\$ 50M for School Security Grants per year --- \$150M over 3 years):
  - To establish and maintain a School Resource Officer (SRO) Program.
  - To provide physical security enhancements for schools including, but not limited to, school resource officers, cameras, gates, lighting, locks, doors, windows, security geofencing, and ballistic storm shelters.
- Directs that monies in the School Security Revolving Fund shall supplement and not supplant existing school security funding.
- Effective July 1, 2023.



10

## SB 100: Requires Risk & Vulnerability Assessment

- Requires every school district undergo a risk and vulnerability assessment conducted by the Oklahoma School Security Institute (OSSI) or a nationally qualified risk and vulnerability assessor by July 1, 2026 that must include recommendations to increase security on school district property.
- Exempts school districts that underwent an OSSI or nationally-qualified assessor risk and vulnerability assessment in the two years prior to July 1, 2023.
- Allows that the assessment and recommendations may be kept confidential and not subject to the Open Records Act.
- Requires re-assessment every five years.



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## SB 100: Requires Risk & Vulnerability Assessment, cont'd

- To be eligible for an OSSI Grant Program award, districts must:
  - Complete a risk and vulnerability assessment conducted by OSSI or a nationally qualified risk and vulnerability assessor.
  - Agree to expend grant funds on items recommended by the risk and vulnerability assessment and/or to provide de-escalation and behavioral threat assessment and management training to employees.
  - Includes, but is not limited to, the following recommended items: physical security enhancements such as cameras, gates, lighting, locks, doors, windows, security geofencing, and ballistic storm shelters.
- Effective July 1, 2023.



12

## SB 147: Allows Glucagon Administration

- Allows a school district to stock glucagon, a drug to help students who are experiencing a hypoglycemic emergency.
- Establishes that a district that elects to stock glucagon must develop a board policy that requires:
  - The district to inform, in writing, the parent or legal guardian that glucagon may be administered with written permission from the parent or legal guardian if the employee providing care in good faith believes the student is having a hypoglycemic emergency or if the student's prescribed glucagon is not available on site or has expired.
  - A waiver of liability executed by a parent or legal guardian and renewed annually be on file with the school district prior to administration of glucagon.
  - The school district to designate the employee responsible for obtaining the glucagon at each school site.



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## SB 147: Allows Glucagon Administration, cont'd

- Requires that for students who have a diabetes medical management plan, the plan must indicate whether the parent or legal guardian has given written consent for a school nurse, a school employee trained by a health care professional, or a volunteer diabetes care assistant (as defined by 70 O.S.§1210.196.2) to administer glucagon to a student experiencing a hypoglycemic emergency.
- Allows a licensed physician to write a prescription for glucagon to a school district in the name of the district as a body corporate, by the name and style of "Independent (or Elementary, if it is an elementary school district) School District Number \_\_\_\_\_ (such number as may be designated by the State Board of Education) of \_\_\_\_\_ (the name of the county in which the district is located (70 O.S.§.5-105).
- Effective July 1, 2023.



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## SB 467: Creates Certification Reciprocity

- Creates the Interstate Teacher Mobility Compact Act to facilitate the mobility of teachers through a collective regulatory framework amongst member states to expedite and enhance the ability of teachers to move across state lines.
- Effective July 1, 2023.



15

## SB 710: Allows Opioid Antagonist Administration

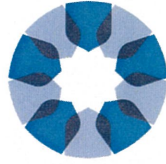
- Authorizes any school employee to administer an emergency opioid antagonist in the event of a suspected overdose, regardless of whether there is a prescription or standing order in place.
- Defines “emergency opioid antagonist” as a drug including but not limited to naloxone that blocks the effects of opioids and that is approved by the United States Food and Drug Administration (FDA) for the treatment of an opioid overdose.
- Clarifies that any person administering an emergency opioid antagonist to a student or other individual at a school site or school-sponsored event in a manner consistent with addressing opioid overdose shall be covered under the Good Samaritan Act. A school and any of its employees or designees shall be immune from civil liability in relation to the administration of an emergency opioid antagonist in the event of a suspected overdose.
- Effective May 5, 2023.



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The Cooperative Council for  
Oklahoma School Administration

**NEW LAWS REQUIRING  
BOARD ACTION**

**2023**

## HB 1445: Requires Posting Bond Proposal on Website

- Requires a school district board of education post on its website a copy of the bond proposal, at least 30 days prior to the election, including:
  - each project to be funded by the bond proceeds.
  - a description of each project.
  - the estimated cost for each project.
- Requires district to continue to post on its website the bond information for the duration of the bond (if it is approved) and for one year after completion of all bond projects.
- Instructs that the school district website also include updates (within 30 days following board approval) when there is material change in the scope of the projects and their purpose as stated at the time the board of education calls the bond election.
- Effective November 1, 2023.



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## HB 2314: Opens Transportation Options

- Deletes requirement limiting student transportation within boundaries of the school district.
- Allows a board of education to provide transportation to students living outside of the boundaries and routes established by the State Board of Education.
- Effective July 1, 2023.



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## HB 2678: Restricts State Board Service

- Prohibits a person from being appointed to serve on the State Board of Education if the person serves on a board of education of a school district which is supervised by the State Board.
- Effective November 1, 2023.



19

## SB 26: Allows Locker Room Access for Coaches

- Amends language related to designation and use of restrooms or changing areas for the exclusive use of the male or female sex.
- Allows a coach, who is the opposite sex of the student athletes, to enter a locker room before, during, or after an athletic activity if all students are fully clothed.
- Requires that any male coach must be accompanied by an adult female when entering a girls' locker room, or any female coach must be accompanied by an adult male when entering a boys' locker room.
- Does not allow the adult to be a current high school student.
- Effective July 1, 2023.



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## SB 110: Requires District Zones in Technology Center School Districts

- Requires the State Board of Career and Technology Education to divide CareerTech districts with more than 225,000 electors into board zones.
- Directs that Boards of Education of each CareerTech district shall consist of one member elected from each of the district zones.
- Beginning July 1, 2024, allows the boards of education of each CareerTech district to pass a resolution to continue electing all board members at large, or to require a Board member be elected from each district zone.
- Clarifies that if members cease to be a resident of the district zone for which they were elected, the office shall become vacant, and the vacancy shall be filled as directed in 26 O.S. § 13A-110.
- Effective July 1, 2024.



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## SB 299: Extends the Oklahoma Advisory Council on Indian Education

- Extends the Oklahoma Advisory Council on Indian Education until 2026.
- Modifies the appointing authority for membership by removing the Governor and allowing the Speaker of the House of Representatives to appoint 5 members and the President Pro Tempore of the Senate to appoint 4 members.
- Provides that a vacancy on the Council in a seat representing an Indian tribe or the tribal education department of an Indian tribe may be filled by the original appointing authority from a list of nominations submitted by the elected executive leaders of Indian tribes in the state.
- Directs that appointments to fill any vacancy on the Council shall be made within three months following the vacancy.
- Effective July 1, 2023.

[vetoed 5.2.23; veto override 5.25.23]



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## SB 317: Requires Reporting for TIFs

- For **increment** districts in operation for nine (9) months or more, on or before the ninetieth day following the end of each fiscal year, the governing body of a city, town, or county shall submit a report to the Oklahoma Department of Commerce that shall include all of the following information:
  1. The amount and source of revenue captured and apportioned pursuant to the project plan;
  2. The amount and purpose of expenditures.
  3. The amount of principal and interest due on outstanding bonded indebtedness.
  4. The tax increment base and current captured appraised value or the other local tax or fee collections retained by the area.
  5. The captured appraised value or the other local tax or fee collections shared by the city, town, or county and other taxing entities, the total amount of tax increments received, and any additional information necessary to demonstrate compliance with the plan adopted by the city, town, or county.
  6. The name of the person who is currently in charge of the implementation of the plan.
  7. The names of the persons who have disclosed an interest as required pursuant to Section 857 of this title and the interest disclosed.



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## SB 317: Requires Reporting for TIFs, cont'd

- For **incentive** districts in operation for nine (9) months or more, on or before the ninetieth day following the end of each fiscal year, the governing body of a city, town, or county shall submit a report to the Oklahoma Department of Commerce that includes all of the following information:
  1. The parties receiving incentives or exemptions.
  2. A general description of the property and the improvements to be made.
  3. The portion and fair market value of the property to be exempted or that portion of the local taxes to be subject to incentives or to be exempted.
  4. The duration of the incentives or exemptions.
  5. Any additional information necessary to demonstrate compliance with the tax incentives or exemptions.
  6. The name of the person who is currently in charge of the implementation of the plan.
  7. The names of the persons who have disclosed an interest.



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## SB 317: Requires Reporting for TIFs, cont'd

- The Department shall provide a copy of the report to any member of the public upon request.
- Effective November 1, 2023.



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## SB 429: Protects Tribal Regalia

- Protects the right of any student to wear tribal regalia at on-campus or at any institution function.
- Allows a school to set a policy about times when items cannot be worn because the specific characteristic of the garment or item would endanger the safety of a students or others, or interfere with the learning environment if worn during a specific activity.
- Defines “tribal regalia” as traditional garments, jewelry, other adornments such as an eagle feather, an eagle plume, a beaded cap, a stole, or similar objects of cultural and religious significance worn by members of a federally recognized Indian tribe or the tribe of another country.
- Clarifies that tribal regalia does not include any firearm, other weapon, or any object that is otherwise prohibited by federal law, except in compliance with an appropriate federal permit.
- Effective July 1, 2023.

[vetoed 5.1.23; veto override 5.25.23]




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## SB 516: Creates Statewide Charter School Board (SCSB)

- Abolishes the Statewide Virtual Charter School Board and brings all charter schools (including brick-and-mortar) under a single statewide 9-member board beginning July 1, 2024.
  - Prohibits a member of the legislature from serving on the board during or two years after his/her term of office expires.
  - Requires all board members of the charter school to be residents of the state and shall meet no less than 10 months per year in a public meeting within the school district boundaries, or within the state if the board oversees multiple charters. The members of the board would be subject to the same conflict of interest requirements as local school board members and subject to the same instruction and continuing education requirements.
  - Defines that five members of the SCSB shall constitute a quorum, and an affirmative vote of at least five members shall be required for the SCSB to take any final action.




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## SB 516: Creates SCSB, cont'd

<p><b>Current Statewide Virtual Charter School Board Membership</b></p> <ul style="list-style-type: none"> <li>• Five-member board                     <ul style="list-style-type: none"> <li>◦ Governor: one appointment (5<sup>th</sup> Congressional District)</li> <li>◦ Senate Pro Temp: two appointments (1<sup>st</sup> &amp; 3<sup>rd</sup> Congressional Districts)</li> <li>◦ House Speaker: two appointments (2<sup>nd</sup> &amp; 4<sup>th</sup> Congressional Districts)</li> <li>◦ Superintendent of Public Instruction (nonvoting)</li> <li>◦ Secretary of Education (nonvoting)</li> </ul> </li> </ul> <p style="text-align: center;">Abolished June 30, 2024</p>	<p><b>New Statewide Charter School Board Membership</b></p> <ul style="list-style-type: none"> <li>• Nine-member board                     <ul style="list-style-type: none"> <li>◦ Governor: three appointments</li> <li>◦ Senate Pro Temp: two appointments</li> <li>◦ House Speaker: two appointments</li> <li>◦ Superintendent of Public Instruction</li> <li>◦ State Auditor and Inspector</li> </ul> </li> </ul> <p style="text-align: center;">Established July 1, 2024</p>
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## SB 516: Creates SCSB, cont'd

- Directs the SCSB rather than the State Department of Education to provide training to charter school applicants.
- Removes career technology centers and the State Board of Education as charter school authorizers.
- Allows private colleges and universities to become charter school authorizers.
- Requires each charter school to be separate and distinct.
- Designates that contract terms are initially five years with successive 10-year contract terms.
- **Requires (beginning July 1, 2024) charter school applicants to first seek sponsorship from the local school district. If denied, they have 60 days to resubmit. If denied again, the applicant may submit the application to any authorized sponsor.**
- Requires a school district that proposes a bond to include a charter school located in its district in planning conversations for the bond.



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## SB 516: Creates SCSB, cont'd

- Prohibits the SCSB from charging the charter school a fee for administrative or other services.
- Directs that the SCSB will give priority to opening charter schools that serve at-risk student populations or students from low-performing traditional public schools.
- Allows the sponsor to approve or deny proposed contracts between the charter school governing board and an educational management organization (emo).
- Establishes indicators for a performance framework to evaluate charter and virtual charter schools.
- Requires virtual charters to include data about mobility of the student population in their performance framework.



30



## SB 516: Creates SCSB, cont'd

- Requires a charter sponsor to create a separate performance framework for a school designated as an alternative education program.
- Restores the prohibition on a charter school from offering curriculum that is the same or similar to the Oklahoma School for the Deaf or Blind.
- Removes the requirement for any school contracting with an EMO to use OCAS to report the total compensation package of the superintendent.
- Requires the charter to be as equally free and open to all students as traditional schools.



31

## SB 516: Creates SCSB, cont'd

*“A charter school shall be nonsectarian in its programs, admission policies, employment practices, and all other operations. A sponsor may not authorize a charter school or program that is affiliated with a nonpublic sectarian school or religious institution.” (Section 7.A.2)*



32

## SB 516: Creates SCSB, cont'd

- Transitions the supplemental online courses service from the Statewide Virtual Charter School Board to the SCSB.
- Requires the sponsor fee be used to provide oversight and reported through new OCAS codes.
  - The sponsor shall publish a detailed report on its website and present the report in a public meeting of the charter school governing board and the charter school sponsor governing board.
  - The report shall provide sponsor performance and stewardship including compliance with all applicable laws, regulations, and terms of the charter contract and listing expenses related to oversight and services provided by the sponsor to the charter schools it sponsors.
- Effective July 1, 2024.



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## SB 677: Amends Board Candidate Requirements

- Stipulates that the place of residence and mailing address of those filing Declarations of Candidacy will remain confidential but may be provided to any lawful authority as part of a contest of candidacy or contest of election.
- Requires people filing Declarations of Candidacy to provide a voter registration verification form, provided by the Secretary of the Election Board.
- Effective June 2, 2023.



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## SB 840: Establishes Student Athlete Name, Image, and Likeness (NIL) Rights Act

- Defines “student athlete” as defined in the *Revised Uniform Athlete Agents Act*:
  - “The definition of “student athlete” also includes individuals who are not yet in college. It includes high school students, high school dropouts and high school graduates who have delayed matriculation to a college or university so long as the individual may have future eligibility for intercollegiate sports” (2019, Section 2).
- For additional information, access the Oklahoma Secondary Schools Activity Association (OSSAA) Guidelines regarding NIL published October, 2023:
  - [http://www.ossaa.net/docs/2022-23/MiscForms/MF\\_2022-23\\_NILGuidelines.pdf](http://www.ossaa.net/docs/2022-23/MiscForms/MF_2022-23_NILGuidelines.pdf)
- Effective May 25, 2023.
  - [vetoed 4.26.23; veto override 5.25.23]



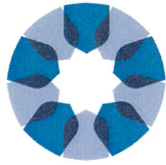
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## Notes



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**NEW LAWS  
IMPACTING STUDENTS'  
LEARNING**

**2023**

## HB 1397: Requires Development of Civil Rights Curriculum

- Requires the State Department of Education to develop a curriculum about the civil rights movement from 1954 to 1968, the natural law and natural rights principles, and the tactics of non-violent resistance employed by Dr. Martin Luther King Jr. with an additional unit of instruction studying other acts of discriminatory injustice, such as genocide, committed elsewhere around the globe.
- Allows the course to be taught as a stand-alone unit or integrated into pre-existing course work.
- Directs the State Department of Education to identify resources and provide exemplar units or sample lesson plans designed to help teachers provide instruction on the subject matter outlined in this act.
- Effective November 1, 2023.



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## HB 1634: Allows Student Searches

- Allows for the search of shoes, and hand and head coverings of students, except religious head coverings.
- Permits the superintendent to designate school personnel to transport properly preserved items (dangerous weapons, controlled dangerous substances, alcoholic beverages, or missing or stolen property) from a school site to a centralized location within the school district or to local law enforcement offices for lawful disposal.
  - While in transport, the designated school personnel shall carry their school identification and a letter from the superintendent confirming their authority to transport the items for disposal.
  - All items transported for disposal pursuant to this subsection shall be transported in a locked container.
- Effective November 1, 2023.



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## HB 2180: Alters Alternative Ed Virtual Charter School Definitions

- Amends the definition of full attendance for a student enrolled in a virtual charter school alternative education program designated by the State Department of Education to include that a full abbreviated school day shall be counted in full attendance for purposes of computing the average daily attendance and average daily membership of the virtual charter school.
- Defines "full abbreviated school day" as one hundred eighty-nine (189) hours per quarter or seven hundred fifty-six (756) hours per school year [matches the same time requirement for a student enrolled in a traditional alternative education program (OAC 210: 35-29-2)].
- Provides a waiver for a student enrolled in a virtual charter school alternative education program designated by the State Department of Education who is reported for truancy twice in the same year to allow the student to continue attending the school. Current law prohibits a student from re-enrolling in the same school after two truancy violations in one year.
- Effective November 1, 2023.



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## HB 2265: Allows Law Enforcement Elective

- Allows a school district to offer students in grades eleven and twelve an elective course in law enforcement.
- Requires the course to include:
  - A general introduction to law enforcement training
  - Critical skills and entry requirements for law enforcement professional
  - Career opportunities in law enforcement.
- Allows the State Board of Education to coordinate with the Council on Law Enforcement Education and Training (CLEET) to develop instructional materials.
- Effective November 1, 2023.



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## HB 2750: Allows Driver License Testing at Schools

- Allows Service Oklahoma to enter into agreements with third-parties to provide the driver license test.
- Clarifies that local school districts, the Oklahoma Department of Career and Technology Education, institutions of higher education, or a private entity may hire or employ designated examiners for the Class A, B or C driving skills portion and written portion of the test required for a driver license.
- Effective November 1, 2023.



41

## SB 93: Requires FAFSA for HS Graduation

- Requires students to complete and submit a Free Application for Federal Student Aid (FAFSA) in order to graduate from a public high school **beginning in SY2024-2025**.
- Allows students to opt out if:
  - The student's parent or legal guardian submits a signed opt-out form.
  - A student aged eighteen (18) or older submits a signed opt-out form.
  - A school counselor authorizes a student to opt out.
- Requires district superintendents to designate a school employee to collect confirmation information for student's FAFSA completion.
- Identifies that the State Department of Education shall develop and publish:
  - Materials for students, parents, and legal guardians explaining the requirements to complete the FAFSA, the benefits to completing the FAFSA, and the opt-out provisions.
  - An opt-out form to be used by school districts.
- Effective July 1, 2023.



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## FAFSA & Homeless Students (Informational)

- Homeless liaisons must ensure unaccompanied youth are informed of their status as independent students and obtain verification of that status for the FAFSA which generally qualifies them for free tuition in college or career tech institutions. 11432(g)(6)(A)(x)(III); Guidance Q2
- Youth who meet the definition of “independent student” can complete the FAFSA without parental income information or signature.
- Youth who are unaccompanied, at risk of homelessness, and self-supporting are also automatically considered independent students.
- Schools should give independent students a letter verifying their status as homeless which is presented to the Admissions Office at a college or career tech where the student wishes to continue his education. The homeless status remains valid for a period of three years.
- Download a sample letter: (<https://nche.ed.gov/homeless-liaison-toolkit/>)



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## SB 930: Creates Aero Student Pathways

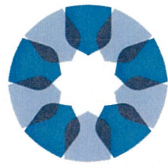
- Creates the Aero Student Pathways for Aerospace Careers and Education.
- Allows the Oklahoma Aeronautics Commission and its Director to organize and administer an aerospace and aviation education program in cooperation with schools to establish a common statewide strategy for implementing aerospace educational curriculum initiatives to better prepare students for an aviation and aerospace career.
- Effective November 1, 2023.



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The Cooperative Council for  
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**NEW LAWS IMPACTING  
SCHOOL BUDGETS**

**2023**

## HB 1004x: General State Appropriations

- HB1004x allocates **\$788.6** million more (from FY23) overall to common education, including:
  - **\$500** million increase in State Aid funding formula (HB 2901).
  - **\$125** million Redbud Fund (HB 2901).
  - **\$150** million 3-year School Security Grants (HB 2904)
  - **\$10** million 3-year Literacy Pilot (SB 1118)
- HB 1004x also allocates for FY23:
  - \$44 million Redbud Fund (Section 17)
  - \$87.7 million Ad valorem reimbursement fund (Section 16)



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## HB 1004x: General State Appropriations, cont'd

### • Assumptions:

- Currently, actual collections for dedicated chargeables are up approximately \$14 million (for schools on the state aid formula) and one would assume they will rise slightly more.
- Based on our estimates at this time, the initial factor will be in a range of approximately \$4,166 to \$4,177, which is an increase of \$317- \$328 over the May 17, 2023 factor of \$3,849.



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## Bills that Impact HB1004x Funding

- HB 2901 designates **\$286** million (of the \$500.7 million increase in State Aid funding formula) for teacher pay raises.
- HB 2902 changes Formula weights with estimated fiscal impact of \$102,230,404.
  - Economically disadvantaged: .25 to .30. (\$87,760,464 increase)
  - Transportation: 1.39 to 2.0. (\$11,244,964 increase)
  - Small school size change for funding purposes: from 529 ADM to 750 ADM. (\$3,224,976 increase)
- SB 1121 provides six weeks maternity leave to school employees (estimated \$12 million cost).



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## SB 1120 & HB 2901 Redbud Fund

- HB 2901 appropriates **\$125M** in Redbud Fund (\$81M new + \$44M current level)
- SB 1120 modifies the redbud grant award distribution in instances when appropriations to the Common School Building Equalization Fund (Redbud) are above the amount necessary to provide the grants. Further, in the event of a revenue failure, the measure requires the Redbud grants to be reduced proportionately to the reduction in school state aid funding.
- Effective July 1, 2023.



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## HB 36x: Education Line-item Budget SDE School Activities Fund

- SB 36x appropriates \$3.12 million more than FY23.
- Maintained FY23 funding for most line items.
  - **\$530,000:** Reduced funding for National Board Teacher, Psychologists, Speech Pathologists, and Audiologists Bonus Program
  - **Added programs:**
    - **\$250,000:** Inhalers for schools
    - **\$1.4 million:** Oklahoma School Security Initiative (3-year pilot)
    - **\$2.0 million:** Educational metrics software
- Effective July 1, 2023.



## Notes





Proposed Budget for Fiscal Year 2024

June 7, 2023

Purpose	FY 21 Appropriation SB 1922	FY 22 Appropriation SB 1067/ HB 2900	FY 23 Appropriation SB 1040	FY 24 Appropriation HB 1004X/ SB 36X/ HB 2901	Amount Change
1 Financial Support of Public Schools (70 O.S. 18-200.1)	2,300,970,699	2,437,246,699	2,437,246,699	2,937,991,559	500,744,860
2 General Revenue (GR) (SB36X)	953,338,319	1,471,384,271	1,457,068,688	1,312,419,157	
3 Education Reform Revolving Fund (1017 funds)	1,015,074,419	875,289,631	890,120,375	1,036,701,366	
4 Common Education Technology Fund	46,938,566	47,372,299	47,025,701	47,025,701	
5 Oklahoma Lottery Trust Fund	32,739,428	34,451,092	38,041,192	37,074,320	
6 Mineral Leasing Fund	9,211,258	8,749,406	4,990,763	4,771,015	
7 Constitutional Reserve Fund	243,668,709	-	-	500,000,000	
8 General Revenue (GR) [HB 2901]					
9 Instructional Materials (70 O.S. 16-114a)	33,000,000	60,000,000	45,190,000	45,190,000	
10 Flexible Benefit Allowance (70 O.S. 26-104)	535,537,021	535,537,021	553,404,829	553,404,829	
11 Certified Personnel	347,081,644	347,081,644	359,193,470	359,193,470	
12 Support Personnel	188,455,377	188,455,377	194,211,359	194,211,359	
13 Support of Public School Activities (details on pg. 2)	100,919,026	\$108,919,026	117,919,026	121,039,026	3,120,000
14 Redbud Fund (HB 2901)				125,000,000	125,000,000
15 School Security Grants (HB 2903 & HB 2904) 3 yr. funding				150,000,000	150,000,000
16 Literacy Pilot (SB 1118) 3 yr. funding				10,000,000	10,000,000
17 Administrative and Support Functions (SDE budget)	15,027,640	15,027,640	19,145,366	19,145,366	
18 Lottery Trust Fund - Transfer to TRS Revolving Fund (62 O.S. 34.93 and 3A O.S. 713(C)(3))	3,637,714	3,827,899	4,226,799	4,119,369	(107,430)
19 Lottery Trust Fund - Transfer to School Consolidation Assistance Fund (70 O.S. 7-203)	3,637,714	3,827,899	4,226,799	4,119,369	(107,430)
20 TOTAL APPROPRIATION	2,992,729,814	3,164,386,184	3,181,359,518	3,970,009,518	788,650,000

\*FY23 Redbud Fund (HB 1004X, Section 17): \$44 million

\*\*FY23 Ad valorem reimbursement fund (HB 1004X, Section 16): \$87.7 million



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Proposed Budget for Fiscal Year 2024

Oklahoma State Board of Education		Public School Activities				
Purpose	FY 21 Appropriation HB 4153	FY 22 Appropriation SB 1067	FY 23 Appropriation HB 4465	FY 24 Appropriation SB 36X	Notes	
1 Early Intervention SoonerStart (70 O.S. 13-124)	14,400,341	14,400,341	16,225,341	16,225,341	maintain + required federal match	
2 Early Childhood Initiative (70 O.S. 10-105.4)	12,000,000	12,000,000	12,000,000	12,000,000	maintain current services	
3 Reading Sufficiency (70 O.S. 1210.508D)	11,000,000	12,000,000	13,000,000	13,000,000	maintain current services	
4 Alternative Education Programs and Admin (70 O.S. 1210.561, 70 O.S. 1210.568)	10,000,000	12,000,000	14,000,000	14,000,000	maintain current services	
5 Required Assessments (70 O.S. 1210.508, 20 USC §6311(b)(2))	4,205,685	8,205,685	9,205,685	9,205,685	maintain current services	
6 School Lunch Matching & MOE (7 CFR 210-17 and 7 CFR 235.11(a))	3,500,000	3,500,000	3,500,000	3,500,000	maintain current services	
7 AP Teacher Training and Test Fee Assistance (70 O.S. 1210.703)	1,000,000	1,000,000	1,500,000	1,500,000	maintain test fee assistance	
8 Imagine Math	1,000,000	1,000,000	1,000,000	1,000,000	online math instruction platform	
9 Imagine Reading			1,000,000	1,000,000	online reading instruction platform	
10 ACT Work Keys			250,000	250,000	maintain current services	
11 Inhalers for all schools				250,000	New	
11 Great Expectations	300,000		500,000	500,000	maintain current services	
12 Street School	100,000	180,000	180,000	180,000	maintain current services	
13 Ag in the Classroom	38,000	38,000	38,000	38,000	maintain current services	
14 Oklahoma Arts Institute	-	320,000	320,000	320,000	maintain current services	
15 Standards Implementation (70 O.S. 11-103.6, 20 USC §6311(b)(1))	-	-	300,000	300,000	maintain current services	
<b>Total</b>	<b>57,544,026</b>	<b>64,644,026</b>	<b>73,019,026</b>	<b>73,269,026</b>		
<b>Teachers' Retirement System Credit (70 O.S. 17-108.2)</b>						
16 Teachers' Retirement System Credit (70 O.S. 17-108.2)	34,000,000	34,500,000	35,000,000	35,000,000	meet obligations	
17 Psychologists, Speech Pathologists and Audiologists Bonus (70 O.S. 6-206)	2,900,000	4,800,000	3,300,000	3,770,000	Combined with NBTB	
18 National Board Teacher Bonus (70 O.S. 6-204.2)	2,000,000	-	1,000,000			
19 Secure Schools Program	2,350,000	2,350,000	2,350,000	2,350,000		
20 Child ID			500,000	500,000		
21 Oklahoma School Security Initiative			500,000	1,400,000	New program	
22 Student Information Security			500,000	500,000		
23 Metrics Software				2,000,000	New program	
24 Teach for America	2,000,000	2,000,000	2,000,000	2,000,000	maintain current services	
25 Teacher and Leader Effectiveness Programs (70 O.S. 6-101.16)	125,000	250,000	250,000	250,000	maintain current services	
26 Teacher Induction Program (70 O.S. 6-195)	-	375,000				
<b>Total</b>	<b>43,375,000</b>	<b>44,275,000</b>	<b>44,900,000</b>	<b>47,770,000</b>		
<b>Grand Total</b>	<b>\$ 100,919,026</b>	<b>\$108,919,026</b>	<b>\$117,919,026</b>	<b>\$121,039,026</b>	<b>\$3,120,000</b>	



## SB 1119: Teacher Pay Raise

- **\$286 million appropriated for teacher pay raise.**
- Adjusts the minimum salary schedule based on years of experience:
  - \$3,000 (0-4 years)
  - \$4,000 (5-9 years)
  - \$5,000 (10-14 years)
  - \$6,000 (15+ years);
- Directs that the salary increase must be an increase amount equal to the amount indicated in the step increase, provided they stay employed by the same district [Section G].
- Includes all fixed costs in funding.
- "Teacher" is defined based on [70 O.S. § 26-103](#) and includes **ALL** certified personnel except superintendents or retired teachers.
- Effective July 1, 2023.



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## SB 1121: Maternity Leave

- **\$12 million** (estimated) for six (6) weeks maternity leave.
- Applies to full-time public school employees (mothers) who have been employed by the school district for at least one year (at least 1,250 hours during the preceding twelve-month period). For Career Techs, it applies only to classroom instructional employees.
  - Does not apply to paternity leave.
  - Must be used immediately after birth of employee's child.
  - Is used in addition to and not in place of sick leave.
  - Reimburses districts by the State Board of Education for expenses related to providing paid maternity leave.



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## SB 1121: Maternity Leave, cont'd

- Creates the Public School Paid Maternity Leave Revolving Fund and requires the Legislature to make an appropriation. If the fund lacks sufficient money, then the State Board of Education shall allocate funds from its public school activities budget.
- Directs the State Board of Education to reimburse school districts for expenses related to providing paid maternity leave.
- Creates Education Employee Paid Maternity Leave Revolving Fund at the Office of Management and Enterprise Services to reimburse paid maternity leave expenses for eligible teachers at Career Techs and other state agencies that employ eligible teachers.
- Funded this year from the State Aid Formula line item from what we know at this time.
- Effective July 1, 2023.



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## HB 2903 & HB 2904 School Security Grants

- **\$ 50 million** appropriated for School Security Grants per year (\$150M over 3 years)
- 3 year pilot program for school security.
  - Projected that each district is expected to receive around \$96,000 per year.
    - Can be used:
      - to establish and maintain a School Resource Officer (SRO) Program
        - Defines SRO as a law enforcement officer with sworn authority and training in school-based law enforcement and crisis response who is assigned by an employing law enforcement agency to work collaboratively w/ one or more schools using community oriented policing concepts.
        - Requires SRO to receive certain training, including active shooter training .
      - to provide physical security enhancements for schools including, but not limited to, school resource officers, cameras, gates, lighting, locks, doors, windows, security geofencing, and ballistic storm shelters.
- Monies in the School Security Revolving Fund shall supplement and not supplant existing school security funding.
- Effective July 1, 2023.



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## SB 1118: Literacy Instructional Team Pilot

- **\$ 3.3 million** for Literacy Instructional Team per year (\$10 million over 3 years).
- 3-year pilot program managed through the State Department of Education, Director of Reading Sufficiency.
  - Creates a state literacy instructional team through regional literacy teams:
    - five regional literacy leads.
    - ten literacy specialists.
  - Prioritizes supports and interventions for schools which have the highest percentage of students who do not demonstrate sufficient reading skills.
- Effective July 1, 2023.



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## HB 1934: Tax Credits for Private School Tuition & Homeschool Costs

- HB1934 Rep. Charles McCall, R-Atoka and Sen. Greg Treat, R-Oklahoma City, creates the Oklahoma Parental Choice Tax Credit Act. For private school tuition and fees, the measure creates an income tax credit on a sliding scale with income caps based on adjusted gross income (AGI) of the eligible student's household for the second preceding tax year for qualified expenses related to private school tuition and fees equal to the following:
  - \$7,500 credit: less than \$75,000 AGI
  - \$7,000 credit: more than \$75,000 but less than \$150,000 AGI
  - \$6,500 credit: more than \$150,000 but less than \$225,000 AGI
  - \$6,000 credit: more than \$225,000 but less than \$250,000 AGI
  - \$5,000 credit: more than \$250,000 AGI
- Stipulates that the amount of the tax credit shall be equal to the private school tuition and fees or the maximum credit allowed according to the AGI of the eligible student's household, whichever is less.
- Caps the amount of total credits that may be claimed for private school tuition and fees:
  - 2025: \$150 million
  - 2026: \$200 million
  - 2027 and subsequent tax years: \$250 million
- Establishes a \$1,000.00 per-student income tax credit for qualified expenses related to homeschooling. The measure caps the total amount of credit claimed for homeschooling expenses at \$5 million per year.
- Effective January 1, 2024.



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## HB 2901: Tax Credit De-Funding Provision

- “It is the intent of the Legislature that appropriations made in House Bill No. 2901 of the 1st Session of the 59th Oklahoma Legislature in conjunction with other funds appropriated to the State Board of Education during the 1st Session of the 59th Oklahoma Legislature establish a new baseline appropriation level for public schools in this state, and that maintaining such baseline levels in future years should be a requirement prior to resources being made available for programs such as the Oklahoma Parental Choice Tax Credit Act, created pursuant to House Bill No. 1934 of the 1st Session of the 59th Oklahoma Legislature.”



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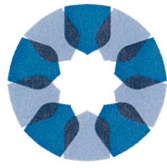
## HB 2901: Tax Credit De-Funding Provision, cont'd

- “Beginning July 1, 2024, and at the beginning of each succeeding state fiscal year, if the amount of money appropriated to the State Board of Education 1.) for the financial support of public schools and support of public schools activities in such fiscal year; and 2.) To be distributed through rebud school grants ... is less than such amounts appropriated for the **fiscal year ending June 30, 2024**, the tax credits otherwise authorized in the Oklahoma Parental Choice Tax Credit Act **shall be reduced proportionally** to reflect the proportion such appropriations fail to reach the baseline amounts appropriated for the fiscal year ending June 30, 2024. ”
- Effective July 1, 2023.



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The Cooperative Council for  
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**MANDATE  
IMPLEMENTATION  
TIMELINE**

**2023**

## SY2023-24 New Mandates/Reduced Mandates

### New Mandates

- SB 89 (2021) Health Education Act health education (physical, mental, social and emotional, and intellectual) provided
- HB 2768 (2022) Dysgraphia PD required
- HB 1445 (2023) Bonds posted on website
- SB 429 (2023) Tribal regalia allowed
- SB 1119 (2023) Teacher pay raise required
- SB 1121 (2023) 6 weeks maternity leave required
- SB 2903 (2023) School security grants provided

### Reduced Mandates

- HB 1441 (2023) Professional Development requirements reduced
- SB 26 (2023) Locker room access for coaches allowed (flexibility allowed)



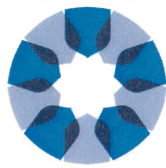
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## SY2024-25 New Mandates

- HB 3400 (2020) Minimum of 4 Advanced Placement courses available to students
- SB 252 (2021) Computer Science (one in HS; aligned to standards in MS and Elementary) offered
- HB 1029 (2023) Standard form required for identifying homeless students
- SB 93 (2023) FAFSA required for high school graduation
- SB 100 (2023) Risk & vulnerability assessment (exemptions possible)



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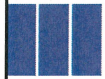


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The Cooperative Council for  
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**NEW RULES IN THE  
OKLAHOMA  
ADMINISTRATIVE CODE**

**2023**



The following Rules have been approved by Resolution adopted by the Legislature



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Chapter 20. Staff  
Subchapter 19. Local Professional Development Programs  
210:20-19-6. Professional Development programs for early childhood educators and administrators [NEW]

- PD programs for early childhood educators and administrators should focus on the importance of child-centered, play-based learning as the most rigorous and developmentally appropriate way for children in early childhood grade levels to learn literacy, science, technology, engineering, art and math academic concepts.
- PD programs can include but shouldn't be limited to asynchronous or synchronous virtual learning, in-person training, or ongoing mentoring and support.



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Chapter 20. Staff

Subchapter 19. Local Professional Development Programs

210:20-19-6. Professional Development programs for early childhood educators and administrators [NEW], cont'd

- PD should:
  - Highlight play's importance in early grades.
  - Provide research to support use of play-based learning to develop a student's academic and personal skills.
  - Include research on play's impact on the developing brain.
  - Include pedagogical concepts, such as:
    - Types of play and the continuum of play-based learning.
    - Defining the teacher role before, during, and after play.
    - Intentional planning for playful learning experiences.
    - Connecting academic standards to play.
    - Creating an environment conducive for playful learning.



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Chapter 20. Staff

Subchapter 37. Adjunct Teachers

210:20-37-2. Adjunct teachers [AMENDED]

- Removes the previous limit of 270 clock hours of classroom teaching per semester for adjunct teachers.
- Removes the previous provision that hours taught while serving as an adjunct teacher don't count toward retirement benefits.



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Chapter 15. Curriculum and Instruction  
 Subchapter 35. English Language Learner Programs  
 210:15-35-1. Definitions [AMENDED]

• **Definitions**

- Changes the 3 factors that can apply to determine whether a student is “Bilingual” when their Home Language Survey indicates that a language other than English is spoken in the home "less often" than English to:
  - The student’s previous year OSTP ELA test score was Basic or Below Basic or their College and Career Readiness Assessment (ACT or SAT) Reading subtest score was at or below the 35th percentile;
  - The student has a recent, qualifying ELA/Reading score as measured by a state-approved, locally administered norm-referenced test (NRT). Qualifying NRT scores must be the most recently available and may not be used if obtained from an assessment administered prior to spring of the previous school year; or
  - The student is designated English Language Learner/Limited English Proficient on an Oklahoma English language proficiency test, including the WIDA ACCESS for ELLs or Alternate ACCESS for ELLs assessment, the WIDA Screener for Kindergarten, the WIDA Screener, or WIDA MODEL assessment.



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Chapter 15. Curriculum and Instruction  
 Subchapter 35. English Language Learner Programs  
 210:15-35-1. Definitions [AMENDED], cont’d

- Changes the previous title "Language Instruction Educational Plan" or "LIEP" to "English Language Academic Plan" or "ELAP."
- Changes the questions asked on the Home Language Survey to:
  - What is the dominant language most often spoken by the student?
  - What is the language routinely spoken in the home, regardless of the language spoken by the student?
  - What language was first learned by the student?



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Chapter 15. Curriculum and Instruction  
 Subchapter 35. English Language Learner Programs  
 210:15-35-2. Responsibilities of school districts [AMENDED]

- Includes the changed questions for the Home Language Survey listed in the slides for OAC Rule 210:15-35-1. Definitions, above.
- Changes the screeners and scoring for students in grades K-12 to:
  - Kindergarten 1st semester: Potential EL students are administered only the oral language domain (Speaking and Listening) section of the WIDA Screener for Kindergarten\* or Kindergarten MODEL. A Composite/Overall score of 5.0 for WIDA Screener for Kindergarten\* or 4.8 for Kindergarten MODEL or better is considered English Language Proficient/Not EL. A Composite/Overall score of 4.5 or below is considered Not English Language Proficient/EL.



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Chapter 15. Curriculum and Instruction  
 Subchapter 35. English Language Learner Programs  
 210:15-35-2. Responsibilities of school districts [AMENDED], cont'd

- Kindergarten 2nd semester through 1st semester 1st grade: Potential EL students are administered all four domains (Listening, Speaking, Reading, and Writing) of the WIDA Screener for Kindergarten\* or Kindergarten MODEL. A Composite/Overall score of 5.0 for WIDA Screener for Kindergarten\* or 4.8 for Kindergarten MODEL or better is considered English Language Proficient/Not EL. A Composite/Overall score of 4.5 or below is considered Not English Language Proficient/EL.
- A student in the 2nd semester of 1st grade-12th grade whose Home Language Survey indicates that another language is spoken in the home, either "more often" or "less often" than English, shall be administered all four domains of the grade appropriate WIDA Screener. A Composite/Overall score of 5.0 or better is considered English Language Proficient/Non-EL. A Composite/Overall score of 4.5 or below is considered Not English Proficient/EL.



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Chapter 15. Curriculum and Instruction  
 Subchapter 35. English Language Learner Programs  
 210:15-35-2. Responsibilities of school districts [AMENDED], cont'd

- Reflecting some language changes from the previous version of the Rule, provides that a school district may participate in a Title III consortium to provide an appropriate Language Instruction Education Program (LIEP) to ELL students of member districts.



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Chapter 15. Curriculum and Instruction  
 Subchapter 35. English Language Learner Programs  
 210:15-35-3. Assessments [AMENDED]

- Removes the previous exception to participation in the OSTP [an ELL student who attended school in the U.S. for less than 12 months could receive a 1-time exemption for the OSTP Reading test in grades 3 through 8, or the English EOI II/III].
- Updates language to reflect that decisions concerning OSTP accommodations for an ELL student shall be made by the English Language Academic Plan (ELAP) committee, or the district or consortium equivalent and the accommodation must be documented on the student's current ELAP or locally designed equivalent plan.



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Chapter 35. Standards For Accreditation of Elementary, Middle Level, Secondary, and Career and Technology Schools

Subchapter 19. Concurrent Enrollment

210:35-19-3. General procedures [AMENDED]

- Prior to enrolling in a concurrent enrollment course, a student must have a signed form from the high school principal or counselor stating they are eligible to satisfy HS graduation requirements – including curricular requirements for college admission - no later than spring of their senior year.
- A minor student must have written permission from a parent or legal guardian prior to enrollment in a concurrent enrollment course.
- No school district may prohibit a student who meets the requirements of concurrent enrollment from participating in concurrent enrollment, provided the student also meets any requirement of the State Regents for Higher Ed and/or Oklahoma law.



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Chapter 35. Standards For Accreditation of Elementary, Middle Level, Secondary, and Career and Technology Schools

Subchapter 3. Standards for Elementary, Middle Level, Secondary, And Career and Technology Schools

Part 11. Standard VI: student services

210:35-3-106. Guidance and counseling services [AMENDED]

- Beginning SY2023-24, prior to annual enrollment of a new or returning student, a student's parent or legal guardian may disclose to the student's resident district - determined by 70 O.S. § 1-113 - if the student has received inpatient or emergency outpatient mental health services from a mental health facility in the previous 24 months.
  - Here, "mental health facility" means a public or private hospital or related institution as defined by 63 O.S. § 1-701 offering or providing inpatient mental health services, a public or private facility accredited as an inpatient or residential psychiatric facility by the Joint Commission on Accreditation of Healthcare Organizations, or a facility operated by the Department of Mental Health and Substance Abuse Services and designated by the Commissioner of the Department of Mental Health and Substance Abuse Services as appropriate for the inpatient evaluation or treatment of minors.



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Chapter 35. Standards For Accreditation of Elementary, Middle Level, Secondary, and Career and Technology Schools

Subchapter 3. Standards for Elementary, Middle Level, Secondary, And Career and Technology Schools

Part 11. Standard VI: student services

210:35-3-106. Guidance and counseling services [AMENDED], cont'd

- If such disclosure occurs, designated school personnel - which may include members of the IEP team - shall meet with the parent or legal guardian of the student and representatives of the mental health facility prior to enrollment to determine whether the student needs accommodations, including but not limited to an IEP under the IDEA or a Section 504 Plan under the Rehabilitation Act of 1973.
  - Note that delaying the student's enrollment to hold this meeting may violate the student's rights under Section 504, ADA Title II or another law.
- The meeting can be in person, via teleconference, or via videoconference.



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Chapter 35. Standards For Accreditation of Elementary, Middle Level, Secondary, and Career and Technology Schools

Subchapter 3. Standards for Elementary, Middle Level, Secondary, And Career and Technology Schools

Part 11. Standard VI: student services

210:35-3-106. Guidance and counseling services [AMENDED], cont'd

- Disclosure and handling of personal health information and related student education records must comply with FERPA and HIPAA.



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Chapter 20. Staff

Subchapter 18. Advanced, Lead, and Master Teachers [AMENDED]

210:20-18-1. Advanced, lead, and master teaching certificates [AMENDED]

- The previous version of the Rule covered just lead and master teachers. Many of the changes involve adding the words “advanced,” “advanced teaching certificate” and “advanced teacher” to existing provisions.
- The school district that recommends a teacher for an advanced, lead, or master teacher certification will be responsible for meeting contract requirements associated with the advanced certification beginning with the semester – rather than school year - following the application’s submission.



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Chapter 20. Staff

Subchapter 18. Advanced, Lead, and Master Teachers [AMENDED]

210:20-18-1. Advanced, lead, and master teaching certificates [AMENDED], cont’d

- An advanced teacher’s contract shall provide for an additional 5 days to be used to strengthen instructional leadership; a salary supplement of at least \$3,000 or the district's daily rate of pay, whichever is higher; and the salary the teacher is entitled to under 70 O.S. § 18-114.14. If the district satisfies legal requirements, the contract shall also include a one-time award of \$1,500.
- A lead teacher’s contract shall provide for an additional 10 days to be used to strengthen instructional leadership; a salary supplement of at least \$5,000 or the district's daily rate of pay, whichever is higher; and the salary the teacher is entitled to under 70 O.S. § 18- 114.14. If the district satisfies legal requirements, the contract shall also include a one-time award of \$2,500.



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## Chapter 20. Staff

Subchapter 18. Advanced, Lead, and Master Teachers [AMENDED]210:20-18-1. Advanced, lead, and master teaching certificates [AMENDED], cont'd

- A master teacher's contract shall provide for an additional 15 days to be used to strengthen instructional leadership; a salary supplement of at least \$10,000 or the district's daily rate of pay, whichever is higher; and the salary the teacher is entitled to under 70 O.S. § 18-114.14. If the district satisfies legal requirements, the contract shall also include a one-time award of \$5,000.
- SBE shall issue an advanced, lead, or master teaching certificate to any person who upon application:
  - Has been recommended by their employing school district for an advanced, lead, or master teacher certificate; and
  - Meets the eligibility criteria of 70 O.S. § 6-190.



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## Chapter 20. Staff

Subchapter 18. Advanced, Lead, and Master Teachers [AMENDED]210:20-18-1. Advanced, lead, and master teaching certificates [AMENDED], cont'd

- Language providing that lead and master teaching certificates may only be renewed if the teachers received a particular rating on their most recent district evaluation has been eliminated from the amended Rule .



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Chapter 35. Standards For Accreditation of Elementary, Middle Level, Secondary, And Career and Technology Schools  
 Subchapter 3. Standards for Elementary, Middle Level, Secondary, and Career and Technology Schools  
 Part 19. Standard X: school facilities  
 210:35-3-186. Site and buildings: size and space; accessibility; maintenance; health and safety [AMENDED]

- Subsection (h) of this Rule concerns restrooms and changing rooms.
- Definitions
  - "Sex" means the physical condition of being male or female based on genetics and physiology, as identified on the individual's original birth certificate.
  - "Multiple occupancy restroom or changing area" means an area in a public school or public charter school building designed or designated to be used by more than 1 individual at a time, where individuals may be in various stages of undress in the presence of other individuals and may include but isn't limited to a school restroom, locker room, changing room, or shower room.
  - "School" means any public school and public charter school that serves students in PK-12.
  - "Individual" means any student, teacher, staff member, or other person on School premises.



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Chapter 35. Standards For Accreditation of Elementary, Middle Level, Secondary, And Career and Technology Schools  
 Subchapter 3. Standards for Elementary, Middle Level, Secondary, and Career and Technology Schools  
 Part 19. Standard X: school facilities  
 210:35-3-186. Site and buildings: size and space; accessibility; maintenance; health and safety [AMENDED], cont'd

- Each School shall require every multiple occupancy restroom or changing area to be designated as:
  - For the exclusive use of the male Sex; or
  - For the exclusive use of the female Sex.
- Each School shall provide access to a single occupancy restroom or changing room to an Individual who doesn't wish to use the multiple occupancy restroom or changing area designated for their Sex.



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Chapter 35. Standards For Accreditation of Elementary, Middle Level, Secondary, And Career and Technology Schools  
 Subchapter 3. Standards for Elementary, Middle Level, Secondary, and Career and Technology Schools  
 Part 19. Standard X: school facilities  
 210:35-3-186. Site and buildings: size and space; accessibility; maintenance; health and safety [AMENDED], cont'd

- Each school district board of education and public charter school governing board shall adopt a policy to provide disciplinary action for Individuals who refuse to:
  - Use the multiple occupancy restroom or changing area designated for their Sex;
  - Designate multiple occupancy restrooms or changing areas for the exclusive use of one Sex; or
  - Provide access to a single-occupancy restroom or changing room to an Individual authorized to be on School premises who chooses not to use the multiple occupancy restroom or changing area designated for their Sex.



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Chapter 35. Standards For Accreditation of Elementary, Middle Level, Secondary, And Career and Technology Schools  
 Subchapter 3. Standards for Elementary, Middle Level, Secondary, and Career and Technology Schools  
 Part 19. Standard X: school facilities  
 210:35-3-186. Site and buildings: size and space; accessibility; maintenance; health and safety [AMENDED], cont'd

- The RAO will evaluate schools to ensure compliance, and **noncompliance may result in adverse accreditation action.**
- Students, parents, teachers, school staff and members of the public may file a complaint with SBE alleging violation.
- Within 15 days of either receiving information suggesting a School may be in violation or receiving a complaint, SDE will notify the School's board and SBE.
- From receiving notice, the School's board will have 15 days to request an opportunity to appear before SBE and/or submit a written response. SBE will grant timely requests. If School's board doesn't request an opportunity to appear, SBE shall conclude the matter without further notice or delay.



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Chapter 35. Standards For Accreditation of Elementary, Middle Level, Secondary, And Career and Technology Schools  
 Subchapter 3. Standards for Elementary, Middle Level, Secondary, and Career and Technology Schools  
 Part 19. Standard X: school facilities  
 210:35-3-186. Site and buildings: size and space; accessibility; maintenance; health and safety [AMENDED], cont'd

- Upon SBE finding noncompliance, School shall receive a **5% decrease in state aid funding**, which will be withheld from School's periodic distributions over the fiscal year following the year of noncompliance.
- Before making a finding of noncompliance, SBE may, if mitigating factors are present, provide a probationary period for School to become compliant.



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The Legislature neither approved nor disapproved the following Rules, although the Governor is expected to approve them



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# Parental Rights Rules




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Chapter 10. School Administration and Instructional Services  
 Subchapter 2. Parental Rights [NEW]  
 210:10-2-2. Definitions. [NEW]

- **Definitions**
  - "Sex or Sexuality education" means any class, program, curriculum, instruction, test, survey, questionnaire, Course, or other instructional material that relates to sexual behavior, sexual attitudes, or sexuality, including but not limited to gender identity or sexual orientation.
  - "Course" means any program or activity where instruction or activities tied to the instruction are provided by or within a School district.
  - "Information" means any form of information including but not limited to, Identity information.
  - "Identity information" means information including but not limited to:
    - Any names or pronouns used by a student at school.
    - Any social transition or other transition to a gender that differs from the student's sex.



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Chapter 10. School Administration and Instructional Services  
 Subchapter 2. Parental Rights [NEW]  
 210:10-2-2. Definitions. [NEW], cont'd

- "Sex" means the physical condition of being male or female based on genetics and physiology, as identified on the individual's original birth certificate.
- "Parent" means the natural or adoptive parent or legal guardian of a minor child.
- "School district" or "School" means any public school district and public charter school district that serves students in PK-12.



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Chapter 10. School Administration and Instructional Services  
 Subchapter 2. Parental Rights [NEW]  
 210:10-2-3. Requirements. [NEW]

- Advance written notice to Parents materially similar to the one described in 25 O.S. § 2003 shall be required for any Sex or Sexuality education material.
- A Parent's right to inspect classroom materials shall extend to any Sex or Sexuality education material.
- A Parent's written objection may object to Sex or Sexuality education or any other instruction questioning beliefs or practices in Sex, morality, or religion.
- Each School district shall ensure that it honors any Parent requests to inspect Sex or Sexuality education materials so it is easily accessible to Parents upon request and makes all parts of the material available for inspection.



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Chapter 10. School Administration and Instructional Services  
 Subchapter 2. Parental Rights [NEW]  
 210:10-2-3. Requirements. [NEW], cont'd

- No School district, and no employee of the district or its schools, shall encourage, coerce, or attempt to encourage or coerce a minor child to withhold information from the child's Parent(s) or guardian(s).
- A School district shall disclose to a child's Parent(s) or guardian(s) any information known to the School district or its employees regarding material changes reasonably expected to be important to Parent(s) regarding their child's health, social, or psychological development, including Identity information.
  - Disclosures shall occur within 30 days of learning the information and may include referrals for appropriate counseling services that the Parent(s) or guardian(s) may use or not.



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Chapter 10. School Administration and Instructional Services  
 Subchapter 2. Parental Rights [NEW]  
 210:10-2-3. Requirements. [NEW], cont'd

- A School district informed or otherwise aware of a violation of 25 O.S. § 2002(C) (prohibiting any attempt to encourage or coerce a minor child to withhold information from the child's parent) or these Rules within its district that either fails to initiate disciplinary action within 30 days of learning of the violation, or fails to administer appropriate disciplinary action, shall be found in noncompliance.



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Chapter 10. School Administration and Instructional Services  
 Subchapter 2. Parental Rights [NEW]  
 210:10-2-4. Noncompliance. [NEW]

- If a Parent or guardian alleges violation of 70 O.S. § 11-105.1 (approval of curriculum and material used in sex education class and written notice to parent or guardian), 25 O.S. § 2002(C), 25 O.S. § 2003 (information to be provided to parents), or Rule 210:10-2-3 (discussed on previous slides), they will provide a written complaint to SDE summarizing the alleged violation with the time, date, location and identity of any person(s) involved. The Parent or guardian must include a copy of any complaint they sent to the School district and any SD response.
- Within 14 days of receiving a complaint, SDE shall notify the School district of the allegation and provide opportunity for response.
- SDE shall conduct an investigation to determine whether a violation occurred. SDE shall notify the Parent or guardian and School district of the results.



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Chapter 10. School Administration and Instructional Services  
 Subchapter 2. Parental Rights [NEW]  
 210:10-2-4. Noncompliance. [NEW], cont'd

- If SDE concludes a violation occurred or may have occurred, School district shall have 14 days to request a hearing before SBE. SBE shall review the Complaint and the record using a preponderance of evidence standard, may take additional evidence at its discretion, and shall publish an order with findings of fact and conclusions of law.
- If SBE makes a finding of **willful noncompliance** with the provisions of 70 O.S. § 11-105.1, 25 O.S. § 2002(C), 25 O.S. § 2003, or OAC Rule 210:10-2-3, SBE shall alter the School district's accreditation status to **Accredited With Warning** or **Accredited With Probation** as classified in OAC Rule 210:35-3-201. SBE shall adjust the status to **Accredited With Probation** if the SD is already **Accredited With Warning**.




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Chapter 10. School Administration and Instructional Services  
Subchapter 2. Parental Rights [NEW]  
210:10-2-4. Noncompliance. [NEW], cont'd

- If SBE makes a finding of **negligent or reckless noncompliance** with the provisions of 70 O.S. § 11-105.1, 25 O.S. § 2002(C), 25 O.S. § 2003, or OAC Rule 210:10-2-3, SBE shall require the School district to comply with this Rule under conditions and within timeframes as SBE orders. Failure to comply with SBE's order shall constitute **willful noncompliance** as set out in the previous slide.



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# Media Program Rules



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Chapter 35. Standards For Accreditation of Elementary, Middle Level, Secondary, and Career and Technology Schools  
 Subchapter 3. Standards for Elementary, Middle Level, Secondary, and Career and Technology Schools  
 Part 13. Standard VII: The media program  
 210:35-3-121. Statement of the standard [AMENDED]

- SBE recognizes its duty and responsibility to protect minor students from accessing Pornographic materials and Sexualized content.
- **All new and amended language in the Media Program Rules addresses this topic.**



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Chapter 35. Standards For Accreditation of Elementary, Middle Level, Secondary, and Career and Technology Schools  
 Subchapter 3. Standards for Elementary, Middle Level, Secondary, and Career and Technology Schools  
 Part 13. Standard VII: The media program  
 210:35-3-121.1. Definitions. [NEW]

- **Definitions**
  - "Library" means a school library, media program, classroom library, or any other collection of books or other materials, print or digital, maintained by a School district or its employees for use by students and that don't qualify as textbooks within the jurisdiction of the State Textbook Committee.
  - "School library" means the official library maintained by a school for use by students.
  - "School district" or "School" means any public school district and public charter school district that serves students in PK-12.
  - "Parent" means the natural or adoptive parent or legal guardian of a minor child.



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Chapter 35. Standards For Accreditation of Elementary, Middle Level, Secondary, and Career and Technology Schools  
 Subchapter 3. Standards for Elementary, Middle Level, Secondary, and Career and Technology Schools  
 Part 13. Standard VII: The media program  
 210:35-3-121.1. Definitions. [NEW], cont'd

- **"Pornographic" means:**
  - Depictions or descriptions of sexual conduct which are patently offensive as found by the average person applying contemporary community standards, considering the youngest age of students with access to the material;
  - Materials that, taken as a whole, have as the dominant theme an appeal to prurient interest in sex as found by the average person applying contemporary community standards; and
  - A reasonable person would find the material or performance taken as a whole, lacks serious literary, artistic, educational, political, or scientific purposes or value, considering the youngest age of students with access to the material.
- **"Sexualized content" means material that is not strictly Pornographic but otherwise contains excessive sexual material in light of the educational value of the material and in light of the youngest age of students with access to the material.**



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Chapter 35. Standards For Accreditation of Elementary, Middle Level, Secondary, and Career and Technology Schools  
 Subchapter 3. Standards for Elementary, Middle Level, Secondary, and Career and Technology Schools  
 Part 13. Standard VII: The media program  
 210:35-3-126. Collection requirements and penalty for noncompliance [AMENDED]

- **Within 60 days of the effective date of this rule, and annually every October 1, each School district shall transmit to SDE a complete list of all books and other materials available in any School library in that district.**
  - The Superintendent's attestation that a public online School library catalog or catalogs contain a complete and accurate list, along with the website for accessing the relevant catalog(s), shall fulfill this requirement.
- **No Library shall have available to minor students any "Pornographic" materials or "Sexualized content."**



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Chapter 35. Standards For Accreditation of Elementary, Middle Level, Secondary, and Career and Technology Schools

Subchapter 3. Standards for Elementary, Middle Level, Secondary, and Career and Technology Schools

Part 13. Standard VII: The media program

210:35-3-126. Collection requirements and penalty for noncompliance [AMENDED], cont'd

- Every School district shall have a written policy for reviewing the educational suitability and age-appropriate nature of any material in a Library in the district and for receiving and responding to complaints regarding materials in Libraries in the district.
- Nothing in the Rule shall be construed to prohibit students from reading, owning, possessing, or discussing any book they obtained without the assistance or encouragement of a School district, its employees, or its Libraries.
  - Nothing in the Rule shall be construed to authorize bringing Pornographic material or Sexualized content on the grounds of any public School district.



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Chapter 35. Standards For Accreditation of Elementary, Middle Level, Secondary, and Career and Technology Schools

Subchapter 3. Standards for Elementary, Middle Level, Secondary, and Career and Technology Schools

Part 13. Standard VII: The media program

210:35-3-126. Collection requirements and penalty for noncompliance [AMENDED], cont'd

- If a Parent or guardian alleges violation of this Rule, they shall provide a written complaint to SDE with a summary of the alleged violation and time, date, location and identity of any person(s) involved. The complaint to SDE must include a copy of any complaint the Parent or guardian submitted to the School district and its response.
- Within 14 days of receiving a complaint, SDE shall notify the School district and provide an opportunity for response.
- SDE shall investigate to determine whether a violation occurred. SDE shall notify the Parent or guardian and School district of the results.



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Chapter 35. Standards For Accreditation of Elementary, Middle Level, Secondary, and Career and Technology Schools

Subchapter 3. Standards for Elementary, Middle Level, Secondary, and Career and Technology Schools

Part 13. Standard VII: The media program

210:35-3-126. Collection requirements and penalty for noncompliance [AMENDED], cont'd

- If SDE concludes a violation occurred or may have occurred, the School district shall have 14 days to request a hearing before SBE. SBE shall review the Complaint and record using a preponderance of the evidence standard, may take additional evidence at its discretion, and shall publish an order with findings of fact and conclusions of law.
- If SBE makes a finding of **willful noncompliance** with any requirement of this Rule, it shall alter the School district's accreditation status to **Accredited With Warning** or **Accredited With Probation** as classified in OAC Rule 210:35-3-201. SBE shall adjust the status to **Accredited With Probation** if the School district is already **Accredited With Warning**.
- If SBE makes a finding of **negligent or reckless noncompliance** with this Rule, it shall require the School district to comply within the timeframe it orders.
  - Failure to comply with SBE's order shall constitute **willful noncompliance** within the meaning of the second-bulleted item above.



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## Notes



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