

LEGISLATIVE REVIEW

2021



A PUBLICATION OF THE OKLAHOMA STATE SCHOOL BOARDS ASSOCIATION



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Budget

[HB 2900](#) is the general appropriations bill for FY 2022. The overall plan appropriates \$8.3 billion to state agencies. That is a 7.62% increase over last year's appropriations of \$7.7 billion.

Key takeaways for the FY22 budget:

- State aid appropriation – Increase of \$136.3 million (5.65% increase)
- Textbooks/instructional materials – \$60 million (double FY 21 amount)
- Redbud/Building Equalization Fund – Approximately \$38.5 million
- Public school activities – \$108.9 million (\$8 million increase)
- Total new investment – \$210+ million
- Career Tech – Increase of almost \$1.4 million

[SB 1067](#) outlines how the state Education Department can spend part of the education budget, also known as a "limits" bill. See the full breakdown [here](#). The biggest pieces are:

- \$2,437,246,699 for state aid
- \$704,456,047 for additional program areas
- \$15,027,640 for administrative and support functions of the Oklahoma State Department of Education
- Textbook money appropriated in monthly installments
- Total = \$3,156,730,386

[SB 229](#) by Sen. John Michael Montgomery, R-Lawton, and Rep. Kyle Hilbert, R-Depew, creates the Redbud Funding Act. Beginning with the 2021-2022 school year, school districts and charter schools will receive the equivalent of the state average of the per-student building fund and the 25% (1 mill) of the county 4-mill that is not chargeable. State Education Department estimates show school districts and charter schools will share nearly \$39 million in new revenue next school year. The bill also affirms charter schools are prohibited from receiving state-dedicated, county or local revenue and are not eligible to issue bonds. Based on estimates for the 2020-2021 school year from the Oklahoma State Department of Education, each school district and eligible charter school will receive a minimum of \$330.77 per student in FY 22:

- 309 traditional school districts will receive approximately \$34.5 million.
- 25 charter schools would receive \$4.4 million.
- Charters authorized by the statewide virtual board are not eligible.
- Money is apportioned from medical marijuana revenue.

Effective May 28.

Transfers

[SB 783](#) by Rep. Brad Boles, R-Marlow, and Sen. Adam Pugh, R-Edmond, makes significant changes to the open transfer law, including eliminating emergency transfers and making it easier for students to transfer between school districts. By Jan. 1, 2022, school boards must adopt a new student transfer policy. Again, emergency transfers are eliminated. Beginning Jan. 1, districts must report publicly and to the state Department of Education (SDE) their capacity to accept transfers for each grade level at each school site by the first day of January, April, July and October. Data on the number of transfers by grade level and site must be reported to the SDE. Districts must also submit data to the SDE on transfer denials, including the reason for denial. Districts are required to accept transfers at any time of the school year subject to capacity limits. The local school board shall determine capacity based upon the district's policy. The Office of Educational Quality and Accountability (OEQA) will be required annually to randomly select 10% of school districts in the state and conduct an audit of each district's approved and denied transfers. If the OEQ finds inaccurate reporting of capacity levels by the district, they will then have the authority to set the capacity for the district. Transfers must be accepted in the order they are submitted. Transfers may only be denied if the district has exceeded its enrollment capacity or for student discipline or attendance issues. A student who applies for a transfer and whose parent/ guardian is an active member of the military or a member of the military reserve on active duty cannot be denied a transfer because of capacity limitations. Siblings may be granted a transfer as long as the school district has capacity and if the sibling is not otherwise disqualified due to attendance or misconduct, because the new law requires that all applications be considered in the order received. The transfers are for one year. A student may only transfer twice in one year (except foster students). If a district denies a transfer, the parent or legal guardian of the student has 10 days to appeal the denial to the local board of education. The board must consider the appeal at its next regularly scheduled board meeting if notice is provided prior to the statutory deadline for posting the agenda for the meeting. If notice is given after the deadline, the board must consider the appeal at a special meeting of the board of education. The appeal process will occur in executive session to protect student privacy. Schools may choose to consistently have a paper-only appeal process or an in-person appeal process. If the board upholds the denial, the parent or legal guardian may appeal the denial to the state Board of Education (SBE) within 10 days of receiving notice of the local board's decision. (SBT will develop rules for this process). Busing isn't required. Nothing changed with special education students. Also note that SB 783 does not impact current rules related to extracurricular activities. **Effective March 31. The changes would go into effect on Jan. 1, 2022.**

[SB 68](#) by Sen. Frank Simpson, R-Springer, and Rep. Max Wolfley, R-OKC, allows students, whose parents or legal guardians are on active military duty and are pending transfer or have been transferred to a military base within the state, to be considered in compliance with state residency provisions. It requires schools to accept electronic enrollment applications. Parents would be required to provide proof of residency, which could be a temporary on-base billeting facility, a purchased or leased home/apartment or federal government or public-private

venture off-base military housing, within 10 days after the published arrival date stated in the official enrollment documentation. **Effective July 1.**

[**SB 69**](#) by Sen. Frank Simpson, R-Springer, and Rep. Max Wolfley, R-OKC, allows students to enroll in statewide virtual charter schools if the parent or legal guardian has transferred or is pending transfer to a military base within the states. Virtual charter schools would be required to accept electronic enrollment applications and parents must submit, within 10 days after the published date of arrival, proof of residency, which could be temporary on-base billeting facility, a purchased or leased home/apartment or federal government or public-private venture off-base military housing. **Effective July 1.**

Finance

[**HB 2078**](#) by Sen. Zack Taylor, R-Seminole, and Rep. Kyle Hilbert, R-Depew, will change the basis for state aid funding. Instead of using the highest weighted average daily membership from the current year or two prior years, districts will only use the highest weighted average daily membership from the current year or prior year. It also increases the allowable carryover in the general revenue fund of districts beginning in 2022-2023. **The change will go into effect with the 2022-2023 school year.**

- Allowable Less than \$1,000,000 from 40% 48%
- \$1,000,000 -\$2,999,999 from 35% to 42%
- \$3,000,000 -\$3,999,999 from 30% to 36%
- \$4,000,000 -\$4,999,999 from 25% to 30%
- \$5,000,000 -\$5,999,999 from 20% to 24%
- \$6,000,000 -\$7,999,999 from 18% to 22%
- \$8,000,000 -\$9,999,999 from 16% to 19%
- \$10,000,000 or more from 14% to 17%

[**HB 2890**](#) by Sen. Pemberton, R-Muskogee, and Rep. Kevin Wallace, R-Wellston, corrects an issue discovered in [**HB 2078**](#) that was signed into law this year. It permits school districts to carryover a general balance fund in excess of limits previously established by law without a general fund penalty being assessed for fiscal years beginning July 1 of 2020, 2021, 2022 and 2023. **Effective July 1, 2022.**

[**SB 1037**](#) by Sen. Roger Thompson, R-Okemah, and Rep. Kevin Wallace, R-Wellston, clarifies that a school's building fund may also consist of monies allocated to a school district via the federal Coronavirus Response and Relief Supplemental Appropriation Act of 2021 (CRRSA) and the federal American Rescue Plan Act of 2021 (ARP). **Effective July 1.**

[**SB 1038**](#) by Sen. Roger Thompson, R-Okemah, and Rep. Kevin Wallace, R-Wellston, amends the student-teaching statute to allow student teachers serving in an internship capacity to receive compensation beginning their first day from the school district in which they serve for up to one school year. However, the compensation will not be taken into consideration for teacher retirement, nor must it adhere to the state minimum salary schedule. The

bill amends language to allow students to be eligible to participate in a paid internship program, regardless of completing the minimum teacher internship requirements. **Effective July 1.**

[**SB 1080**](#) by Sen. Roger Thompson, R-Okemah, and House Speaker Charles McCall, R-Atoka, amends the Equal Opportunity Scholarship Act, which has been in law since 2011, to allow public schools and public school foundations to benefit from the act and increase accountability for private school donations. Donors to both the public and private side of the program would receive the same tax credit - 75% for a two-year donation commitment and 50% for one-time donation. The cap for allowable tax credits for the public side is \$25 million, as is the private side. Unused credits on the private side may be claimed on the public side and vice versa. The bill also increases accountability for participating organizations that grant private school scholarships. The law requires organizations granting private school scholarships to ensure the scholarships are awarded to low-income students at the same rate as the percentage of Oklahoma students who qualify for free- and reduced-price lunches. This bill significantly increases the annual reporting requirements for organizations raising money for private school scholarships, ensuring they are spending the required percentage of donations on scholarships for students from low-income families and providing data on whether scholarship recipients ever attended a public school. Finally, it requires public schools and public school foundations to report to the Oklahoma Tax Commission detailed information about donations received and how donations are spent. **Effective Nov. 1.**

[**HB 1046**](#) by Rep. Dell Kerbs, R-Shawnee, and Sen. John Michael Montgomery, R-Lawton, requires the most recent audit of a school district's financial statements be posted on the school district website for public inspection. **Effective Nov. 1.**

[**SB 807**](#) by Sen. Chris Kidd, R-Addington, and Rep. Rhonda Baker, R-Yukon, requires support employees to be paid for time lost when a school district is closed because of an epidemic or when a health officer orders for such a closing. **Effective July 1.**

[**HB 1968**](#) by Rep. Jadine Nollan, R-Sand Springs, and Sen. Brenda Stanley, R-Midwest City, makes the requirement for school districts to report the expenditures made during the year for the gifted child educational programs uniform, rather than differentiating districts by percentage spent. **Effective April 28.**

Retirement

[**SB 683**](#) by Sen. Chris Kidd, R-Addington, and Rep. Mark Lepak, R-Claremore, would require a non-classified (support) school employee (regularly employed for 20 hours or more per week) to make the option to enroll in teacher retirement within 30 days of employment. Failure to make the election would mean the employee will participate. If the employee chooses to opt out, they may never opt back in, unless they become employed as a classified (certified)

employee, though the years of service as a non-classified employee would not count towards retirement. **Effective July 1.**

[SB 267](#) by Sen. Dewayne Pemberton, R-Muskogee, and Rep. Jadine Nollan, R-Sand Springs, allows certain retired members of Oklahoma Teacher Retirement System (OTRS) to return to the classroom as an active teacher in common or career tech school districts, with no earnings limitation. The three-year exemption begins July 1, 2021, and applies to retirees who have been retired and drawing retirement benefits for at least a year (since July 1, 2020) and were not employed by a school district or career tech during that time. **Effective July 1.**

[HB 2293](#) by Rep. Dustin Roberts, R-Durant, and Sen. Lonnie Paxton, R-Tuttle, relating to summer school and OTRS, provides that contributing employers are to pay two contribution rates, the first to be applied to service performed during the regular school year and the second to be applied to service performed during a summer school program. A summer school program is defined as a program offering academic enrichment for students from Pre-K through 12th grades during the summer term after the close of the school year. Members (OTRS participants) shall only be considered as providing service to a summer school program if such services are provided according to a separate summer school contract between the member and the participating employer (i.e. the school district). Summer school programs do not include services performed at a participating employer offering an extended school year or services performed by staff pursuant to a 12-month contract with the employer. The method applied to setting the second contribution rate may take into consideration whether, or to what extent, such service is likely to add to members' service credit final average salary, provided however the second rate shall not exceed one-half of the first rate. **Effective Aug. 25.**

Board Issues

[HB 1801](#) by Rep. Sherrie Conley, R-Newcastle, and Sen. Brenda Stanley, R-Midwest City, amends Riley's Rule beginning with the 2021-22 school year. It requires school districts in coordination with emergency medical services providers that serve the area where the school is located to develop an Emergency Action Plan for each facility and athletic practices, events or activities held at school district facilities. It lists the requirements for the plan, and that it should be updated and rehearsed annually prior to the start of season practices. The plan shall be digitally transmitted to all visiting schools. **Effective Nov. 1.**

[HB 1963](#) by Rep. Jadine Nollan, R-Sand Springs, and Sen. Brenda Stanley, R-Midwest City, allows the governor to appoint a school board member to a local board if the board lacks enough seated members to have a quorum and conduct school business. The gubernatorial appointee would serve the remainder of the term and would be required to meet all the same criteria as if the board member were elected. **Effective Nov. 1.**

[SB 121](#) by Sen. Carri Hicks, R-OKC, and Rep. Carol Bush, R-Tulsa, requires each school district board of education to adopt a policy allowing school employees

who are lactating to take paid break time to maintain their milk supply. The measure allows the break time to run concurrently with any break time and requires a reasonable effort to provide a private, sanitary room for employees to express milk or breastfeed a child. **Effective July 1.**

[SB 302](#) by Sen. Bill Coleman, R-Ponca City, and Rep. Chris Kannady, R-OKC, would grant visiting teams in all regular high school athletic competitions the same rights as the home team to radio broadcast, live stream and provide telegraphic play-by-play accounts beginning in the 2021-2022 school year. In order to use these rights, the visiting team must have either an appropriate agreement between a media organization and the school's board of education or a student-run program that provides streaming for home games. **Effective July 1.**

[SB 347](#) by Sen. Lonnie Paxton, R-Tuttle, and Rep. Ryan Martinez, R-Edmond, prohibits municipalities and political subdivisions from holding an election on the second Tuesday of December 2021, the second Tuesday of January 2022 or the first Tuesday of March 2022, for the offices of United States Representative, State Senator, State Representative and County Commission districts following the reapportionment of such districts in order for the State Election Board to properly implement new precincts associated with new district boundaries. It also adds the second Tuesday of June of an odd-numbered year as a possible date for a political subdivision (i.e. school district) to hold a special election to fill a vacancy. **Effective May 5.**

[HB 1775](#) by Rep. Kevin West, R-Moore, and Sen. David Bullard, R-Durant, states that no employee of a school district, charter school or virtual charter school shall require or make part of a course the following concepts: that one race or sex is inherently superior to another race or sex; that an individual, by virtue of his or her race or sex, is inherently racist, sexist or oppressive, whether consciously or unconsciously; that an individual should be discriminated against or receive adverse treatment solely or partly because of his or her race or sex; that members of one race or sex cannot and should not attempt to treat others without respect to race or sex; that an individual's moral character is necessarily determined by his or her race or sex; that an individual, by virtue of his or her race or sex, bears responsibility for actions committed in the past by other members of the same race or sex; that any individual should feel discomfort, guilt, anguish or any other form of psychological distress on account of his or her race or sex, or the meritocracy or traits such as a hard work ethic are racist or sexist or were created by members of a particular race to oppress members of another race. Nothing is to prohibit teaching in accordance with the academic standards, and the SDE is to develop rules to implement this bill. **Effective July 1.**

[SB 54](#) by Rep. Daniel Pae, R-Lawton, and Sen. John Michael Montgomery, R-Lawton, directs the SDE, beginning in the 2022-23 school year, to designate a school campus as a Purple Star School campus if the school applies and meets certain qualifications related to availability of services for military-connected students. **Effective Nov. 1.**

[SB 658](#) by Sen. Rob Standridge, R-Norman, and Rep. Kevin West, R-Moore, prohibits school boards for school districts and technology centers, as well

as public and private higher education institutions, from implementing a mask mandate for students who have not been vaccinated against COVID-19; requiring a vaccination against COVID-19 as a condition of admittance to or attendance of the school or institution; or requiring documented proof of COVID-19 vaccination. It allows a board of education for a school district or technology center to implement a mandate to wear a mask or “any other medical device” only under the following conditions: the board must first consult with its local county or city-county health department; and the area where the board is located is under a state of emergency declared by the governor. The mandate must include its purpose, must specifically include what masks or medical device would meet the mandate’s requirements, and the board must reconsider the mandate at each regularly scheduled board meeting. The bill also requires a school district to post immunization information on its website and would restrict school boards from enacting a mask mandate unless certain criteria are met. Each school district’s website must include the following statement: “For school enrollment, a parent or guardian shall provide one of the following: current, up-to-date immunization records or a completed and signed exemption form.” **Effective July 1.**

Employee Professional Development, Certification, Employment Issues

[HB 1967](#) by Rep. Jadine Nollan, R-Sand Springs and Sen. Dewayne Pemberton, R-Muskogee, requires a school bus driver witnessing a vehicle passing a bus while loading or offloading students to report this traffic violation to local law enforcement on or before the end of the next business day, rather than within 24 hours. **Effective Nov. 1.**

[SB 13](#) by Sen. Brenda Stanley, R-Midwest City, and Rep. Rhonda Baker, R-Yukon, states that if a teacher’s certificate is suspended by the SBE, while awaiting proceedings for revocation or other action are pending before the SBE, the local district shall place the teacher on suspension. This would not preclude the local district from initiating due process procedures. The purpose of this bill is to allow the school board to go through the proper process for potentially terminating an employee whose certificate is suspended, and to not have to automatically terminate the employee, thus risking unemployment costs. **Effective July 1.**

[HB 2749](#) by Rep. Rhonda Baker, R-Yukon, and Sen. Adam Pugh, R-Edmond, would require school districts that receive at least \$2,500 in Reading Sufficiency Act (RSA) funding to provide professional development on the science of reading for pre-K through fifth-grade teachers beginning with the 2022-2023 school year. No less than 10% of the RSA funds are required to go to the professional development. The professional development shall include training in the science of how students learn to read as well as instructional materials required for implementation. By June 30, 2022, the SDE shall approve and publish a list of professional development programs that are evidence-based and directly address the cognitive science of how students learn to read for which districts are permitted to use the funds received. **Effective Aug. 25.**

[HB 1593](#) by Rep. Melissa Provenzano, R-Tulsa, and Sen. Brenda Stanley, R-Midwest City, requires local boards of education to provide professional development for teachers in multiple areas for a first-year certified teacher and other times as follows: emphasizing the “importance of digital teaching and learning standards” at least during a teacher’s first year in the district (then at frequency set by local board); another program that emphasizes the importance of recognizing and addressing the mental health needs of students (must be done every third year); one emphasizing the importance of incorporating workplace safety training for 7th-12th grade teachers (frequency determined by local board); one requiring in-service training on alcohol and drug abuse (must be done every third year). **Effective Nov. 1.**

[SB 21](#) by Sen. Kay Floyd, D-OKC, and Rep. Marcus McEntire, R-Duncan, requires school boards to adopt a policy regarding suicide awareness and training. Beginning with the 2021-2022 school year, districts must provide staff training on evidence-based suicide awareness and prevention on a biennial (every other year) basis. Beginning with the 2022-2023 school year, the bill authorizes school boards to offer suicide awareness and prevention training to students in 7- 12th grades. The law allows local boards to enter into agreements with youth services agencies for the provision of intervention and prevention services. **Effective July 1.**

[HB 1796](#) by Rep. Nicole Miller, R-Edmond, and Sen. Adam Pugh, R-Edmond, allows the state Board of Education to exempt a teacher from taking a subject area exam for initial certification in a field which does not require an advanced degree if the candidate has an advanced degree in the subject that is substantially comparable to the content on the subject area exam. The OEQA shall provide the state Board of Education with the necessary information to determine comparability. **Effective April 28.**

[HB 2748](#) by Rep. Rhonda Baker, R-Yukon, and Sen. Brenda Stanley, R-Midwest City, creates a one-year alternative teacher certification, renewable for up to three years, for elementary and early childhood education teacher candidates. The candidates must have completed a terminal degree from an accredited institution or have at least a bachelor’s degree and two years post-degree-completion qualified work experience in a corresponding field. They must intend to earn standard certification within three years and to complete several courses, testing and mentorship requirements. Within the first year, they must satisfactorily complete six credit hours in classroom management and reading instruction, complete the required SDE-approved training on cognitive science of how students learn to read and participate in a yearlong mentorship or instructional coaching in reading and classroom management provided by the employing school district prior to the renewal of the provisional certificate for a second year. Within the second year, satisfactorily complete six credit hours in child development and math instruction and participate in an additional yearlong mentorship and/or instructional coaching in child development and math instruction prior to the renewal of the provisional certificate for a third year and successfully complete the general education subject area portions of the competency exam in the area of specialization for which certification is sought. Finally, within the third year, satisfactorily complete six additional credit hours

of professional education coursework in an educator preparation program, participate in an additional yearlong mentorship and/or instructional coaching provided by the employing school district, and successfully pass the professional knowledge portions of the competency exam in the area of specialization for which certification is sought. **Effective Nov. 1.**

[HB 2752](#) by Rep. Rhonda Baker, R-Yukon, and Sen. Brenda Stanley, R-Midwest City, requires the SDE to establish micro-credentials for teachers in the areas of science, technology, engineering and mathematics (STEM). The measure requires the SDE, in consultation with the OEQA, to convene a working group to determine how such micro-credentials will be used. A micro-credential in STEM shall be used to exempt a teacher from the corresponding subject area competency exams and will serve as corresponding professional development and may be offered in-person or virtually. **Effective July 1.**

[SB 89](#) by Sen. John Haste, R-Broken Arrow, and Rep. Rhonda Baker, R-Yukon, creates the “Health Education Act,” adding health to school core curriculum. Its purpose is to ensure students receive instruction in health; support the health and well-being of children that have been affected by traumatic experiences; improve academic outcomes for students; and improve the overall health outcomes of Oklahoma’s population. It requires health education to be taught in public schools and include physical, mental, social, emotional and intellectual health, and directs the SDE to develop a micro-credential for teachers teaching health education and professional development programs no later than the 2022-2023 school year. It directs school districts by the 2023-2024 school year to provide instruction addressing all health education subject matter standards adopted by the SBE. It allows health education to be integrated into one or more existing subjects, and requires teachers assigned to teach health education as a stand-alone course to be certified in physical and health education. The bill allows for a provisional certificate, valid for two years, to individuals assigned to teach a stand-alone health education course in order to afford the individual the opportunity to obtain certification. The bill directs the State Textbook Committee to include a review of health and physical education instructional materials as part of its textbook review and adoption cycle. The bill creates the Health Education Revolving Fund to carry out the act and directs the Healthy and Fit School Advisory Committee within schools to study and make recommendations regarding implementation of the Act. **Effective July 1.**

Students/ Curriculum

[HB 2030](#) by Rep. Terry O’Donnell, R-Catoosa, and Sen. Adam Pugh, R-Edmond, requires public school students to pass the U.S. citizenship test in order to graduate high school, beginning with ninth graders in the 2021-2022 school year. The test shall be offered at least once a year, beginning as early as 8th grade. The student may retake the exam upon request, as often as desired, until earning a passing score of 60 out of 100 questions. School districts shall exempt students with disabilities whose IEPs state the student is to be assessed with alternate achievement standards. The bill also amends history, social studies and U.S. government curriculum standards to add the study of important historical

documents, including the U.S. Constitution, Declaration of Independence, Emancipation Proclamation, Federalist Papers and other documents with significant history and heritage of the U.S. It also states that the U.S. government standards shall include an emphasis on the structure and relationship between the national, state, county and local governments and simulations of the democratic process. **Effective Nov. 1.**

[SB 252](#) by Sen. Brenda Stanley, R-Midwest City, and Rep. Rhonda Baker, R-Yukon, requires, beginning in the 2024-2025 school year, all public schools, including charter schools, to offer:

- High school: at least one computer science course to students.
- Middle school: instruction in exploratory computer science content.
- Elementary school: instruction in the basics of computer science content and computational thinking.

Course standards will be defined by the state Board of Education, and the courses can be offered in an in-person setting or as a virtual or distance course option only when a traditional classroom setting is not feasible. The bill requires that by June 30, 2025, and every June 30 thereafter, the school district/charter school must submit a report to the SDE regarding computer science courses/content offered the previous year and for SDE to post the information on its website.

Effective Nov. 1.

[HB 1104](#) by Rep. Mark Vancuren, R-Owasso, and Sen. John Michael Montgomery, R-Lawton, adds to the definition of “student data” a district is required to collect to include a student’s tribal affiliation and other data associated with students who have been identified as having American Indian heritage. **Effective Aug. 25.**

[SB 642](#) by Sen. Adam Pugh, R-Edmond, and Rep. Sean Roberts, R-Hominy, beginning with the 2021-2022 school year, requires each public school district and charter school provide students in 10th-12th grade an opportunity to take the Armed Services Vocational Aptitude Battery Test (ASVAB) and consult with a military recruiter. The district and charter school will not have to offer the ASVAB if they offer an alternative test that assesses a student’s aptitude for success in a career field other than one that requires post-secondary information; is free to administer; requires minimal staff training to administer; and provides the students with test results and an interpretation of those results. **Effective July 1.**

[HB 1026](#) by Rep. Rande Worthen, R-Lawton, and Sen. John Michael Montgomery, R-Lawton, allows CLEET to establish and certify additional law enforcement and criminal justice programs at Oklahoma career techs for teaching students between 16 and 19 years of age. **Effective Nov. 1.**

[SB 132](#) by Sen. David Bullard, R-Durant, and Rep. Rhonda Baker, R-Yukon, amends the Oklahoma Higher Learning Access Program (Oklahoma’s Promise) to allow students in 11th grade to sign up for the program (previously 10th grade).

It also states that students who become eligible after completing the 11th grade or after reaching the age of 17 shall be given the opportunity to participate (previously 10th grade/ 16 years old). **Effective July 1.**

[HB 1715](#) by Rep. Brian Hill, R-Mustang, and Sen. Adam Pugh, R-Edmond, repeals the requirement that any person under the age of 18 wishing to apply for a driver license or permit successfully demonstrate a satisfactory reading ability at the 8th-grade reading level. It also repeals the law that says the Department of Public Safety shall deny a license, restricted license or instruction permit for the operation of a motor vehicle to any person under 18 who does not, at the time of application, present documentation of enrollment in a public or private secondary school, including any technology center school. **Effective April 26.**

[SB 128](#) by Sen. Dave Rader, R-Tulsa, and Rep. Dick Lowe, R-Amber, creates the “Seizure-Safe Schools Act.” This act applies only to schools that have an enrolled student who has a seizure disorder. The act requires each school district, beginning Jan. 1, 2022, to have at least one employee who has training to administer or assist with self-administration of seizure medication, recognize symptoms of seizures and take steps to respond. Before seizure medication can be administered, the parent or legal guardian of the student is to provide written authorization annually to the school, provide a statement from the student’s health care provider with instructions, provide medication (sealed from pharmacy) to the school and collaborate on a seizure action plan. A seizure action plan means a written, individualized health plan designed to acknowledge and prepare for the health care needs of a student diagnosed with a seizure disorder. The bill also requires every public school district to provide an age-appropriate seizure education program to all students. It exempts from disciplinary proceedings school employees who take action in compliance with the act and provides immunity from civil liability to a school employee unless the actions rise to the level of reckless or intentional misconduct. It states that a school nurse shall not be responsible for and shall not be subject to disciplinary actions for actions taken by a volunteer. **Effective April 26.**

[HB 1103](#) by Rep. Mark Vancuren, R-Owasso, and Sen. John Haste, R-Broken Arrow, requires public schools beginning in the 2022-2023 school year, and biennially thereafter, to administer the Oklahoma Prevention Needs Assessment Survey in grades 6, 8, 10 and 12 (or an alternate survey -- if a waiver is approved). The survey is managed by the Oklahoma Department of Mental Health and Substance Abuse Services, and the department shall provide technical assistance for schools in survey administration reporting, and in the planning and development of school mental health prevention and intervention strategies informed by the survey results. The purpose of the survey is to provide direction to school sites, districts and communities to effectively improve the lives of students regarding many issues including alcohol, tobacco, other drug use, mental health, academic failure and violence. If a district chooses to use an alternative assessment, it must apply for a waiver from the Department of Mental Health. This is subject to federal funding. **Effective Nov. 1.**

[HB 1568](#) by Rep. Jeff Boatman, R-Tulsa, and Sen. John Haste, R-Broken Arrow, creates “Maria’s Law,” which requires the state Board of Education to mandate

all schools provide instruction in mental health, emphasizing the interrelation between physical and mental well-being, beginning with the 2022-2023 school year. In collaboration with the Department of Mental Health and Substance Abuse Services (ODMHSAS), the state Board of Education is required to adopt age-appropriate curriculum for students in grades K-12. Local school districts may enter into agreements with nonprofits and other community partners to provide this education to students. **Effective Nov. 1.**

[SB 619](#) by Sen. David Bullard, R-Durant, and Rep. Kevin West, R-Moore, amends the Apprenticeships, Internships and Mentorships Act of 2016, allowing sophomores 16 and older to participate in the program (current law allows juniors and seniors). It also allows the school to obtain liability insurance coverage to protect a student who participates in an apprenticeship, internship or mentorship; the school cannot pass the liability insurance costs to the student. The state Board of Education may develop rules to determine if apprenticeships, internships, and mentorships are eligible for academic credit toward meeting graduation requirements. **Effective July 1.**

[HB 1569](#) by Rep. Jacob Rosecrants, D-Norman, and Sen. Adam Pugh, R-Edmond, creates the “Oklahoma Play to Learn Act.” It allows educators to create a learning environment that facilitates child-directed experiences based upon developmentally appropriate early childhood practices and intentionally sustained, play-based learning opportunities including but not limited to, movement, creative expression, exploration, socialization, reading for pleasure, art, music and dramatic play. It requires the SBE to promulgate rules subject to legislative approval, establishing guidelines for professional development programs for early childhood educators and administrators. **Effective May 11.**

Public Meetings and Public Records

[SB 403](#) by Sen. Brenda Stanley, R-Midwest City, and Rep. Robert Manger, R-OKC, makes it unlawful for any person, alone or in concert with others and without authorization, to willfully disturb, interfere or disrupt business or operations of any political subdivision, which includes publicly posted meetings. **Effective April 21.**

[HB 1014](#) by Rep. Cynthia Roe, R-Lindsay, and Sen. Frank Simpson, R-Springer, modifies the confidentiality of public health information of a person who has participated in a public health investigation or who may have a reportable communicable or noncommunicable disease. The bill requires this information and records maintained by the state Department of Health to be confidential while excluding information and records held by certain entities. State Department of Health records are not required to be produced pursuant to the Oklahoma Open Records Act, though certain information is required to be released in accordance with federal law. The bill removes specific identification requirements on information release orders. It also prohibits the attendance of students having or suspected of having a communicable disease in public or private schools. The responsibility of removing such student is transferred from teachers to schools. Finally, the bill updates entities granting permission to return to school. **Effective April 20.**

[HB 1876](#) by Rep. Tammy West, R-Bethany, and Sen. Brenda Stanley, R-Midwest City, exempts certain personal information of current and former public employees from mandatory disclosure under the Open Records Act. This includes home addresses, home and mobile telephone numbers, social security numbers and private email. However, a public record created using a private email address or private mobile phone wouldn't be exempt. **Effective May 3.**

[HB 1875](#) by Rep. Tammy West, R-Bethany, and Sen. Brenda Stanley, R-Midwest City, prohibits an educational agency or institution, that is not the primary custodian of student directory information of students attending the institution, from releasing or selling any or all student directory information unless disclosure is authorized by federal law. If this prohibition does not apply, the educational institution would be authorized to designate specific information to be classified as directory information for students attending the institution. **Effective May 10.**

Construction, Purchasing

[HB 2862](#) by Rep. Kevin Wallace, R-Wellston, and Sen. Dewayne Pemberton, R-Muskogee, raises the dollar limits and thresholds for requiring public constructions contracts to be competitively bid in accordance with the Competitive Bidding Act. It raises the threshold from \$50,000 to \$100,000 for public construction contracts and maintains \$50,000 for construction management trade contracts or subcontracts. So, if your project is under \$100,000, you are no longer required to publicly bid your project. **Effective Nov. 1.**

[HB 1789](#) by Rep. Daniel Pae, R-Lawton, and Sen. Brent Howard, R-Altus, allows local government entities to create a purchasing cooperative or contract with a purchasing cooperative in order to achieve the best value or the best terms in contracts. Local governmental units, or local governmental units cooperating under the terms of any interlocal cooperative agreement authorized by state law, may create a purchasing cooperative or contract with a purchasing cooperative to provide leverage in achieving best value or the best terms in contracts. To encourage intergovernmental collaboration, any purchasing cooperative or interlocal cooperative entity may use any single legal newspaper of this state to serve as sufficient compliance for bid notice requirements of competitive bidding or solicitation of bids. If the purchasing cooperative or interlocal cooperative entity is engaging in a project exclusive to a county or group of counties of Oklahoma, and not open to all governmental units or public trusts that wish to participate statewide, the bid notice shall be published in a legal newspaper located within the county or group of counties. Any local governmental unit or public trust that enters into membership or contracts with a purchasing cooperative or interlocal cooperative entity may enter into purchases or contracts under the terms negotiated by the purchasing cooperative or interlocal cooperative entity. If the purchasing cooperative or interlocal cooperative entity complies with the requirements of this section of law, all local governmental units shall be deemed in compliance with the requirements set forth for bid notices and publication. **Effective Nov. 1.**

[SB 22](#) by Sen. Kay Floyd, D-OKC, and Rep. Tammy West, R-Bethany, modifies the powers and duties of school district boards of education, by giving the right of first refusal to purchase real or personal property to a lessee that is leasing the real or personal property from a board of education when the decision is made to dispose of the property, whether such disposal is by public sale, public bid or private sale. If the board receives a bid or offer for the real or personal property, the board is to provide notice to the lessee leasing the property, and include the identity of the prospective purchaser, the terms and conditions of the proposed sale and the purchase price. It gives the lessee 30 days after receipt of notice to inform the board whether it elects to purchase the property on the same terms and conditions provided in the notice. **Effective Nov. 1.**

Miscellaneous

[HB 1773](#) by Sen. Jessica Garvin, R-Duncan and Rep. Sherrie Conley, R-Newcastle, requires early childhood, elementary, secondary and special education teacher candidates to study the multi-tiered systems of support (MTSS) and its overarching philosophy, framework and components. MTSS is designed to address the core academic and nonacademic needs of students and identify at-risk students. The bill outlines what the training shall include but not be limited to. **Effective Nov. 1.**

[HB 2691](#) Rep. Toni Hasenbeck, R-Elgin, and Sen. Micheal Bergstrom, R-Adair, requires the Commission for Educational Quality and Accountability (OEQA) to issue a report by Oct. 31, 2021, detailing factors in the public education system that contribute to improvements in high school graduation rates and college and career assessment scores; reduced remediation rates; timely college graduation rates; career readiness; and the ability for new graduates to find in-state employment. If OEQA finds there is insufficient information to fulfill these requirements, the report shall contain recommendations for addressing information gaps between the SDE, Career Tech and the State Regents. The report shall be submitted to the speaker, pro tempore and governor. **Effective July 1.**

[HB 1018](#) by Rep. Danny Sterling, R-Tecumseh, and Sen. Marty Quinn, R-Claremore, removes the requirement that the SDE compile and publish the school law book. **Effective Nov. 1.**

[HB 2223](#) by Rep. Randy Randleman, R-Eufaula, and Sen. Dewayne Pemberton, R-Muskogee, requires the SDE to maintain the dyslexia handbook created by the Dyslexia and Education Task Force. The SDE is required to review and revise the handbook at least every three years in consultation with stakeholders and the task force. **Effective Nov. 1.**

[HB 2750](#) by Rep. Rhonda Baker, R-Yukon, and Sen. Adam Pugh, R-Edmond, requires colleges and universities within the Oklahoma State System of Higher Education to post their policies beginning with the 2021-2022 school year on advance placement course credit to their websites. The bill suggested that higher ed not require more than a 3 on an AP exam for course credit but would allow higher than 3 for granting additional course credit. **Effective July 1.**

[SB 292](#) by Sen. John Haste, R-Broken Arrow, and Rep. Jadine Nollan, R-Sand Springs, creates a task force to study and make recommendations regarding the current and future concurrent enrollment needs of the state and pathways for awarding degrees and certificates through concurrent enrollment. The task force is created until Nov. 30, 2022. **Effective July 1.**

[HB 1882](#) by Rep. Marilyn Stark, R-Bethany, and Sen. Dave Rader, R-Tulsa, creates the Out-of-Schooltime Task Force. The task force is directed to identify, evaluate and recommend a set of best practices for children, youth and families which will improve and increase the number of quality, affordable out-of-school programs in the state. The bill outlines the meeting requirements and membership of the task force. The task force shall issue a report of its findings to the president pro tempore of the senate, speaker of the house, and governor no later than Dec. 1, 2022. **Effective Nov. 1.**

[SB 1033](#) by Sen. James Leewright, R-Bristow, and Rep. Scott Fetgatter, R-Okmulgee, provides for medical marijuana establishments to maintain a building within 1,000 feet of a new school building provided the license for such an establishment was granted prior to the establishment of the building or there was an error of measurement as it relates to the distance of the dispensary from the school. The measurement shall be based on the distance in a straight line from the school door nearest the front door of the retail marijuana establishment to the front door of the retail marijuana establishment. It also clarifies that any original medical marijuana business license issued on or after June 26, 2018, by the Oklahoma Medical Marijuana Authority, for a medical marijuana commercial grower, a medical marijuana processor, or a medical marijuana dispensary shall be deemed to have been grandfathered into the location on the date the original license was first issued and provides for the grandfathered status to be transferred if a change in ownership occurs. The bill authorizes municipalities to object to the continued licensure of the grandfathered medical marijuana dispensary when it is operating contrary to the required setback distance from a public or private school. Upon the municipal government providing the required documentation outlined in the measure, the authority shall not renew or transfer the medical marijuana dispensary license and shall cause the license to be revoked. **Effective May 28.**



**The 2021 Legislative Review is not all inclusive of
every new law effecting education and is meant
as a reference guide only. Legal information
provided by OSSBA is non-binding and is not
intended to replace the advice of the school
district's retained legal counsel.**

