



2019 Legislative Update

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Agenda

- Assessments/Accountability/Curriculum
- Student Information
- Special Education
- Counseling
- Teacher Certification/PD/Personnel Issues
- Student Safety
- School Board/School Site Requirements
- Transparency
- Transportation

Assessments/Accountability

- **HB 1364**

- Department of Commerce to review/approve career-readiness assessments and make them available to all school districts starting in the 2019-2020 school year.

- **HB 2641**

- Moves reporting data for preliminary assessment results to June 20 and final results to August 20.

- **HB 1988**

- Eliminates the requirement for the Board to promulgate rules for medical exemption from the chronic absenteeism indicator.



Assessment/Curriculum

- SB 601

- Requires students k-3 to be screened at the beginning, middle and end of the year.
 - Begin program of reading instruction for kindergarten students not meeting grade-level targets.
- Clarifies grade 1-3 students must be at the third grade end-of-year proficiency in order to be exempt from retention.
- Aligns statutory definition of “meets criteria” with existing practice.

Assessment/Curriculum

- SB 601

- Allows students promoted on probation to be on a locally-designed plan after grade 5.
- GC 5 – IEP students making progress toward IEP goals are exempt from retention.
- GC 6 – Students retained in grades pre-k through 2 are exempt from retention in grade 3.
- Eliminates requirement for students promoted on probation for good cause be provided intensive reading instruction in an *altered instructional day*.



Curriculum

- **SB 593**

- OSDE to develop a rubric by December 31, 2019 for implementing quality computer science programs.
- Sets up a grant program, as funds are available, for professional development aligned to the rubric.

- **SB 926**

- Requires schools that choose to offer sex education courses to include information about consent in the curriculum and materials.

- **SB 111**

- Designates Native American Day as the second Monday in October.

Student Information

- SB 70

- Allows OSDE to define requirements for submission of data elements for the student information systems. Maintains SIF compliance.

- SB 742

- Requires DA to send truancy prosecutions to Dept of Health.
- Requires OSDE to send chronic absenteeism data to DOH.
- Requires DOH to provide services where appropriate.
- Requires OSDE to send attendance records for developmentally disabled students to DHS.

Special Education

- **HB 1228**

- Requires a dyslexia professional development program be provided to educators once a year, beginning 2020-21.

- **SB 575**

- Allows consent for physical assessment/treatment or mental health assessment/therapy to be effective for the school year, renewed annually.
- Allows parents to not be present during treatment/assessment via telemedicine.

Counseling

- **HB 1905**

- Requires teacher candidates to study trauma-informed responsive instruction.

- **SB 446**

- Requires OSDE/ODMHSAS to develop training and resources to help school employees recognize and address the mental health needs of students.

- **SB 971**

- Requires CLEET certified officers (i.e., SROs) to receive training on trauma-informed sexual assault response and intervention.
 - CLEET to determine training schedule.

Teacher Certification

- **HB 1781**

- Allows for paid student teaching internships

- **SB 194**

- Eliminates the requirement for a stand alone reading test for early childhood and elementary education candidates.
- Reading test still required for special education candidates.

- **SB 430**

- Allows OSDE to process background checks under the NCPA/VCA and share the results with authorized entities.

Teacher Certification

- SB 217

- OSDE to approve providers for new and innovative pathways to certification
 - Pilot program to sunset July 2024.
 - Requires programs to provide evidence of fiscal solvency; instructional capacity to support teachers; research-based, results-oriented approach; and ongoing support and PD among other things.
- Maintains requirement that each candidate pass all three tests for certification.
- Allows the Board to revoke provider approval.
- Requires annual report to the Board.



Professional Development

- SB 382

- Requires safe schools committee to study and make recommendations on professional development for recognizing and reporting suspected human trafficking.

- SB 83

- DPS to determine if recognition, prevention and reporting of human trafficking is a requirement for a commercial driver's license (i.e., bus drivers).

Personnel Issues

- **HB 1050**

- Allows substitute teacher to teach for 135 days.
- If substitute has a lapsed/expired certificate, then 145 days.
- No limit if certified.

- **SB 198**

- Requires all districts to adopt social networking/media policies for employees using social platforms for work.
 - Intended to discourage abusive/offensive behavior online.
- Requires distribution to all employees.

Personnel Issues

- SB 576

- Requires *every* school employee to *immediately* report suspected abuse or neglect to DHS hotline if student under 18 and to law enforcement if over 18.
- Requires reports to be confidential unless ordered by a court.
 - Prohibits school employee from disclosing information that would identify the reporting employee unless ordered by a court, law enforcement or DHS.

- SB 58

- Allows employees 2 hours to vote either on election day or for early voting.
 - Employer can select designated days/hours.
 - Requires notice from employee 3 days in advance.



Personnel Issues

- HB 2612

- Prohibits employers from penalizing an applicant or employee solely on the basis of holding a medical marijuana license. However, employers may restrict use by employees during work hours.
- Allows employers to refuse to hire, discipline or discharge an employee for a positive marijuana test if the employee does not have a license; possesses, consumes or is under the influence at work; or has safety-sensitive job duties.
 - Safety-sensitive includes operating a motor vehicle (i.e., bus driver), equipment, machinery or power tools, carrying a firearm (i.e., school resource officer) and direct child care.

Student Safety

- SB 1030

- Prohibits schools from refusing or penalizing students solely for holding a medical marijuana license; unless not doing so would cause *the potential* to lose federal funds.
 - Also applies to refusal of or penalty for employees.
- Requires DOH to make a list of medical marijuana businesses available to all political subdivisions to aid governments in compliance with regulations.

Student Safety

- SB 85

- Includes school nurses in the definition of “first responder” such that they are authorized to administer an opiate antagonist in the event of a drug overdose.
- Allows school administration to designate other individuals to receive training and administer an opiate antagonist.
- Allows school administration to authorize any person to administer an opiate antagonist in the absence of the trained individual.
- Places such action under the Good Samaritan Act.

Student Safety

- **HB 2339**

- Prohibits a student from being vaccinated on school grounds without parental/guardian approval.
 - Includes mobile vaccination efforts.
 - Authorization must be obtained for each vaccine in a single visit.

- **SB 33**

- Adds all vapor products to the list of products prohibited under the 24/7 Tobacco-free Schools Act.

School Board Requirements

- SB 48

- Requires a policy allowing for students to self-administer replacement pancreatic enzymes for treatment of cystic fibrosis.

- SB 381

- Allows schools to stock inhalers and for an employee or nurse to administer an inhaler to a student in respiratory distress.
 - Must notify parents/guardians of policy allowing emergency administration of inhaler.
 - Allows a physician to write a prescription to a school.

School Board Requirements

- HB 1114

- Requires retainage for construction contracts subject to a bond that are half-way complete to be 2.5%.

- HB 1885

- Allows local bid preference if bid is $\leq 5\%$ of price, economic benefit to local area, bidder matches nonlocal bidder.

- HB 2666

- Limits construction managers to those approved by OMES-CAP.
- Allows at-risk construction management.
 - Award bid packages $\leq \$50,000$ based on comparative quotes; $\leq \$25,000$ to any qualified vendor.

School Site Requirements

- SB 92
 - Requires 4-year accreditation cycle.
 - Requires annual checks for items related to funding, health and safety, certification, school board member requirements, or other requirements of state/federal law.
 - Allows interruption of cycle for change in superintendent, board members not meeting CE requirements, falsified information or investigation, determination that standards are not being met.
 - If a school receives a deficiency then, evaluation is annual until the school has no deficiencies for 2 years.

School Site Requirements

- SB 441

- Beginning 2021-22, schools adopting a school-hours policy must be in school for 1,080 hours and no less than 165 days.
 - Must notify OSDE by Oct. 15 as currently required.
- Allows schools to be in school for less than 165 days if they meet minimum guidelines for student performance and school district cost savings.
 - Minimum guidelines must be adopted by the State Board through the rules process and are subject to legislative approval.

SB 441 Timeline

School Year	Requirement	Action
2019-2020	180 days or 1080 hours	OSDE to propose rules for legislative review/approval in spring 2020.
2020-2021	180 days or 1080 hours	Schools wanting to go fewer than 165 days to submit evidence per guidelines.
2021-2022	180 days or 1080 hours but no less than 165 days without approval.	

Transparency

- **HB 1395**

- Requires virtual charter schools to be subject to same reporting requirements, financial audits, audit procedures and requirements including using OCAS.
- Subjects VCS board members to same conflict of interest requirements and continuing education requirements as school boards.

Transparency

- HB 1395

- Amounts paid to educational management organizations to be itemized in OCAS, including reporting of supt salaries/benefits.
- Requires any EMO owner to disclose ownership positions in any other business contracting with the school.
- Makes teacher contracts binding until the teacher has been legally discharged or released from the contract.

Transparency

- **HB 2618**

- Requires OSDE to publish what personally identifiable information is stored, how it is stored, and with whom the information is shared.

- **SB 271**

- Requires OSDE to publish a list of all federal funds received ranked according to reliance on those funds and separately ranked according to cost to implement.
- Must include any action required or prohibited as a condition for receiving the funds.

Transportation

- **HB 1044**

- Allows bus drivers to use a cell phone to communicate with law enforcement AND a school transportation department.

- **HB 1926**

- New fee of \$100 for going around a school bus.
 - 75% given to School Bus Stops Revolving Fund.
- Authorizes districts to install video systems on buses and submit recordings to law enforcement for review.
 - If evidence is submitted, then can be prosecuted by DA.
- OSDE to disburse funds for installation of equipment through competitive grant.

Questions?