

1 STATE OF OKLAHOMA

2 2nd Session of the 54th Legislature (2014)

3 HOUSE BILL 2730

By: Cleveland

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6 AS INTRODUCED

7 An Act relating to schools; creating the Oklahoma  
8 Extracurricular Activities Accountability Act;  
9 stating purposes of the act; providing definition;  
10 prohibiting school districts from being a member of a  
11 school athletic association unless certain  
12 requirements are meet; requiring compliance with the  
13 Oklahoma Open Records and Oklahoma Open Meeting Acts;  
14 requiring rules, regulations and policies of  
15 associations to be in compliance with the  
16 Administrative Procedures Act; requiring decisions  
17 and certain actions of associations to be in  
18 compliance with the Administrative Procedures Act;  
19 requiring appeals of decisions of associations to be  
20 in compliance with the Administrative Procedures Act;  
21 providing criteria for appeals; requiring certain  
22 audits; providing for codification; and declaring an  
23 emergency.

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

19 SECTION 1. NEW LAW A new section of law to be codified  
20 in the Oklahoma Statutes as Section 27-101 of Title 70, unless there  
21 is created a duplication in numbering, reads as follows:

22 This act shall be known and may be cited as the "Oklahoma  
23 Extracurricular Activities Accountability Act".  
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1 SECTION 2. NEW LAW A new section of law to be codified  
2 in the Oklahoma Statutes as Section 27-102 of Title 70, unless there  
3 is created a duplication in numbering, reads as follows:

4 A. The purposes of the Oklahoma Extracurricular Activities  
5 Accountability Act shall be to:

6 1. Provide for better coordination between curricular and  
7 extracurricular activities in Oklahoma schools;

8 2. Provide accountability and transparency in the coordination  
9 and governance of extracurricular activities between schools and  
10 school athletic associations;

11 3. Ensure fair treatment and due process in the governance,  
12 regulation and enforcement of extracurricular activities; and

13 4. Provide an open process in the development of rules,  
14 regulations and policies that impact extracurricular activities.

15 B. As used in the Oklahoma Extracurricular Activities  
16 Accountability Act a "school athletic association" means any private  
17 organization or association which charges the school or school  
18 district a membership fee, retains a portion of revenue generated by  
19 the interscholastic activities or contests of the member schools,  
20 and provides the coordination, supervision and regulation of the  
21 interscholastic activities and contests of the member schools.

22 SECTION 3. NEW LAW A new section of law to be codified  
23 in the Oklahoma Statutes as Section 27-103 of Title 70, unless there  
24 is created a duplication in numbering, reads as follows:

1 A. A public school or school district shall not be a member of  
2 any school athletic association unless that association has adopted  
3 a written policy that require the following:

4 1. All records of the association to be made accessible  
5 consistent with the provisions of the Oklahoma Open Records Act;

6 2. All meetings of the association to be open and conducted in  
7 a manner consistent with the provisions of the Oklahoma Open Meeting  
8 Act, including specifically the notice and agenda, voting and  
9 executive session requirements;

10 3. All rules, regulations and policies of the association shall  
11 be adopted and implemented consistent with the provisions of the  
12 Administrative Procedures Act;

13 4. All determinations of student eligibility, assessment of  
14 penalties for violations of the rules and policies of the  
15 association and actions taken to regulate coaches and school staff  
16 shall be conducted in a manner that is consistent with the  
17 provisions of the Administrative Procedures Act;

18 5. All appeals of decisions of the association regarding  
19 eligibility of students and schools shall be conducted in a manner  
20 that is consistent with the provisions of the Administrative  
21 Procedures Act and shall be expedited and heard by an administrative  
22 law judge whose decision may be appealed to the district court; and

23 6. An annual financial audit and a compliance audit of all  
24 funds of the association in accordance with the auditing standards

1 set forth in the Oklahoma Public School Audit Law. In addition, the  
2 association shall have performance audits conducted of the  
3 operations of the association. A performance audit shall be  
4 conducted no later than December 31, 2014, and by December 31 every  
5 five (5) years thereafter.

6 SECTION 4. It being immediately necessary for the preservation  
7 of the public peace, health and safety, an emergency is hereby  
8 declared to exist, by reason whereof this act shall take effect and  
9 be in full force from and after its passage and approval.

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