**SENATE FLOOR VERSION**
February 9, 2015

SENATE BILL NO. 303 By: Shaw of the Senate

and

Denney of the House

An Act relating to schools; amending 70 O.S. 2011, Section 6-194, as last amended by Section 19, Chapter 124, O.S.L. 2014 (70 O.S. Supp. 2014, Section 6-194), which relates to professional development programs; requiring teacher training program to include sexual abuse and assault awareness and prevention; directing the State Department of Education, in certain collaboration, to develop and make available to school districts sexual abuse and assault awareness and prevention education for certain grades; allowing the Department of Education and the Department of Human Services to identify or develop certain materials, policies and procedures; directing school district boards of education to adopt certain policy to provide sexual abuse and assault awareness and prevention education; requiring certain curriculum and materials to be made available for inspection; requiring certain notification to parents and guardians; providing certain right to not participate; directing the State Board of Education to promulgate certain rules; providing for codification; providing an effective date; and declaring an emergency.

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

SECTION 1. AMENDATORY 70 O.S. 2011, Section 6-194, as last amended by Section 19, Chapter 124, O.S.L. 2014 (70 O.S. Supp. 2014, Section 6-194), is amended to read as follows:

Section 6-194. A. The district boards of education of this state shall establish professional development programs for the certified teachers and administrators of the district. Programs shall be adopted by each board based upon recommendations of a professional development committee appointed by the board of education for the district. For the fiscal years ending June 30, 2011, and June 30, 2012, a school district board of education may elect not to adopt and offer a professional development program for certified teachers and administrators of the district. If a school district elects not to adopt and offer a professional development program, the district may expend any monies allocated for professional development for any purpose related to the support and maintenance of the school district as determined by the board of education of the school district.

B. Each professional development committee shall include classroom teachers, administrators and parents, guardians or custodians of children in the school district and shall consult with a higher education faculty. A majority of the members of the professional development committee shall be composed of classroom teachers. The teacher members shall be selected by a designated administrator of the school district from a list of names submitted

by the teachers in the school district. The members selected shall be subject to the approval of a majority vote of the teachers in the district. At a minimum, once every four (4) years the committee shall include at least one school counselor in its membership.

C. In developing program recommendations, each professional development committee shall annually utilize a data-driven approach to analyze student data and determine district and school professional development needs. 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.

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, which all personnel defined as teachers in Section 1-116 of this title shall be required to complete on a periodic basis. The State Board of Education shall provide guidelines to assist

school districts in developing and implementing racial and ethnic education components into professional development programs. At least once a year a program shall be offered which includes a component of teacher training on recognition and reporting of child abuse and neglect and sexual abuse and assault awareness and prevention which all teachers shall be required to complete. Additionally at least one time per year, beginning in the 2009-2010 school year, training in the area of autism shall be offered and all resident teachers of students in early childhood programs through grade three shall be required to complete the autism training during the resident year and at least one time every three (3) years thereafter. All other teachers and education support professionals of students in early childhood programs through grade three shall be required to complete the autism training at least one time every three (3) years. The autism training shall include a minimum awareness of the characteristics of autistic children, resources available and an introduction to positive behavior supports to challenging behavior. Each adopted program shall allow school counselors to receive at least one-third (1/3) of the hours or credit required each year through programs or courses specifically designed for school counselors.

Districts are authorized to utilize any means for professional development that is not prohibited by law including, but not limited

to, professional development provided by the district, any state agency, institution of higher education, or any private entity.

D. Except as otherwise provided for in this subsection, each certified teacher in this state shall be required by the district board of education to meet the professional development requirements established by the board, or established through the negotiation process. Except as otherwise provided for in this subsection, the professional development requirements established by each board of education shall require every teacher to annually complete a minimum number of the total number of points required to maintain employment. Failure of any teacher to meet district board of education professional development requirements may be grounds for nonrenewal of such teacher's contract by the board. Such failure may also be grounds for nonconsideration of salary increments affecting the teacher. For the fiscal years ending June 30, 2011, and June 30, 2012, a certified teacher shall not be required to complete any points of the total number of professional development points required. Provided, a teacher may elect to complete some or all of the minimum number of points required for the two (2) fiscal years and any points completed shall be counted toward the total number of points required to maintain employment. If a teacher does not complete some or all of the minimum number of points required for one (1) or both fiscal years, the total number of points

required to maintain employment shall be adjusted and reduced by the number of points not completed.

E. Each district shall annually submit a report to the State Department of Education on the district level professional development needs, activities completed, expenditures, and results achieved for each school year by each goal as provided in subsection C of this section. If a school district elects not to adopt and offer a professional development program as provided for in subsection A of this section, the district shall not be required to submit an annual report as required pursuant to this subsection but shall report to the State Department of Education its election not to offer a program and all professional development activities completed by teachers and administrators of the school district.

F. Subject to the availability of funds, the Department shall develop an online system for reporting as required in subsection E of this section. The Department shall also make such information available on its website.

SECTION 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 11-107.1 of Title 70, unless there is created a duplication in numbering, reads as follows:

A. The State Department of Education, in collaboration with the Department of Human Services and organizations that have expertise in child sexual abuse, shall develop and make available to school

districts age-appropriate sexual abuse and assault awareness and prevention education for grades kindergarten through twelve.

B. The State Department of Education and the Department of Human Services may identify or develop:

1. Research and evidence-based model educational materials on child abuse and child sexual abuse; and

2. A model for child abuse and sexual abuse response policies and reporting procedures.

C. Beginning with the 2016-2017 school year, the board of education of each school district in this state shall adopt a policy to provide age-appropriate sexual abuse and assault awareness and prevention education for grades kindergarten through twelve. The policy may address the inclusion of age-appropriate education as part of physical and health curriculum or as a separate session provided in consultation with the school's counselor.

D. All curriculum and materials that will be used to provide age-appropriate sexual abuse and assault awareness and prevention education for grades kindergarten through twelve shall be available through the superintendent or a designee of the school district for inspection by parents and guardians of the student who will be involved with the class or session. The superintendent or a designee of the school district shall provide prior written notification to the parents or guardians of the students involved of their right to inspect the curriculum and material and of their

obligation to notify the school in writing if they do not want their child to participate in the class or session. Each school district board of education shall determine the means of providing written notification to the parents and guardians. No student shall be required to participate in a class or session providing sexual abuse and assault awareness and prevention education if a parent or guardian of the student objects in writing to such participation.

SECTION 3. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 11-107.2 of Title 70, unless there is created a duplication in numbering, reads as follows:

The State Board of Education shall promulgate rules to implement the provisions of this act.

SECTION 4. This act shall become effective July 1, 2015.

SECTION 5. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

COMMITTEE REPORT BY: COMMITTEE ON EDUCATION
February 9, 2015 - DO PASS