

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 1st Session of the 56th Legislature (2017)

4 HOUSE BILL 1107

By: Cleveland of the House

5 and

6 Griffin of the Senate

7
8
9 AS INTRODUCED

10 An Act relating to schools; amending Section 3,
11 Chapter 327, O.S.L. 2014 (70 O.S. Supp. 2016, Section
12 27-103), which relates to prohibiting a school
13 district from being a member of a school athletic
14 association unless certain requirements are met;
15 requiring association to apply rules in equal and
16 nondiscriminatory manner; requiring rules of
17 association to be in compliance with the
18 Administrative Procedures Act; requiring decisions
19 and certain actions of associations to be in
20 compliance with the Administrative Procedures Act;
21 requiring appeals of decisions of associations to be
22 in compliance with the Administrative Procedures Act;
23 providing criteria for appeals; and declaring an
24 emergency.

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

SECTION 1. AMENDATORY Section 3, Chapter 327, O.S.L.
2014 (70 O.S. Supp. 2016, Section 27-103), is amended to read as
follows:

1 Section 27-103. A public school or school district shall not be
2 a member of any school athletic association unless that association
3 has adopted a written policy that requires the following:

4 1. All rules, regulations and policies of the association to be
5 applied in an equal and nondiscriminatory manner to both public and
6 private school members;

7 2. All records of the association to be made accessible
8 consistent with the provisions of the Oklahoma Open Records Act;

9 ~~2.~~ 3. All meetings of the association to be open and conducted
10 in a manner consistent with the provisions of the Oklahoma Open
11 Meeting Act, including specifically the notice and agenda, voting
12 and executive session requirements; and

13 ~~3.~~ 4. All rules, regulations and policies of the association
14 shall be adopted and implemented consistent with the provisions of
15 the Administrative Procedures Act;

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

21 6. All appeals of decisions of the association regarding
22 eligibility of students and schools shall be conducted in a manner
23 that is consistent with the provisions of the Administrative
24

1 Procedures Act and shall be expedited and heard by an administrative
2 law judge whose decision may be appealed to the district court; and

3 7. An annual financial audit and a compliance audit of all
4 funds of the association in accordance with the auditing standards
5 set forth in the Oklahoma Public School Audit Law. In addition, the
6 association shall have performance audits conducted of the
7 operations of the association. A performance audit shall be
8 conducted no later than December 31, 2014, and by December 31 every
9 five (5) years thereafter.

10 SECTION 2. It being immediately necessary for the preservation
11 of the public peace, health or safety, an emergency is hereby
12 declared to exist, by reason whereof this act shall take effect and
13 be in full force from and after its passage and approval.

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15 COMMITTEE REPORT BY: COMMITTEE ON ADMINISTRATIVE RULES, dated
16 02/22/2017 - DO PASS, As Coauthored.
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