

STATE OF OKLAHOMA

1st Session of the 56th Legislature (2017)

HOUSE BILL 1107

By: Cleveland

AS INTRODUCED

An Act relating to schools; amending Section 3, Chapter 327, O.S.L. 2014 (70 O.S. Supp. 2016, Section 27-103), which relates to prohibiting a school district from being a member of a school athletic association unless certain requirements are met; requiring association to apply rules in equal and nondiscriminatory manner; requiring rules of association to be in compliance with the Administrative Procedures Act; requiring decisions and certain actions of associations to be in compliance with the Administrative Procedures Act; requiring appeals of decisions of associations to be in compliance with the Administrative Procedures Act; providing criteria for appeals; and declaring an 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:

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

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

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

6       ~~2.~~ 3. All meetings of the association to be open and conducted  
7 in a manner consistent with the provisions of the Oklahoma Open  
8 Meeting Act, including specifically the notice and agenda, voting  
9 and executive session requirements; ~~and~~

10       ~~3.~~ 4. All rules, regulations and policies of the association  
11 shall be adopted and implemented consistent with the provisions of  
12 the Administrative Procedures Act;

13       5. 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       6. 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       7. 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 2. It being immediately necessary for the preservation  
7 of the public peace, health or 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.

10  
11 56-1-5029 AM 12/29/16  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24