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AS AMENDED

By: Haste of the Senate

and

Baker of the House

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[ education - Health Education Act - public schools -  
codification - effective-date -  
emergency ]
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BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

3. Improve academic outcomes for students; and

1 4. Improve the overall health outcomes of Oklahoma's
2 population.

3 C. The State Board of Education may promulgate rules to
4 implement the provisions of this act.

5 SECTION 2. NEW LAW A new section of law to be codified
6 in the Oklahoma Statutes as Section 11-103.13 of Title 70, unless
7 there is created a duplication in numbering, reads as follows:

8 A. Health education shall be taught in the public schools of
9 this state. Health education shall include but is not limited to
10 physical health, mental health, social and emotional health and
11 intellectual health.

12 B. By the 2021-2022 school year, the State Department of
13 Education shall:

14 1. Develop a micro-credential for teachers who are assigned the
15 responsibility of teaching health education; and

16 2. Develop professional development programs that are designed
17 to help teachers provide instruction in health education and
18 incorporate the curriculum into existing coursework and instruction
19 where appropriate. The professional development provided as part of
20 this act shall not be construed to be in addition to existing
21 professional development requirements.

22 C. By the 2022-2023 school year, school districts shall provide
23 instruction addressing all health education subject matter
24 standards, as adopted by the State Board of Education pursuant to

1 Section 11-103.6 of Title 70 of the Oklahoma Statutes, at least once
2 in the grade spans of pre-kindergarten through second grade, third
3 grade through fifth grade, sixth grade through eighth grade and
4 ninth grade through twelfth grade. Health education may be
5 integrated into one or more existing subjects or provided as an
6 addition to existing coursework.

7 D. Teachers assigned to teach health education as a stand-alone
8 course shall be certified in physical and health education. The
9 State Department of Education is authorized to issue a provisional
10 certificate, valid for not more than two (2) years, to individuals
11 assigned to teach a stand-alone health education course in order to
12 afford the individual the opportunity to obtain certification in
13 physical and health education.

14 E. The State Textbook Committee shall include a review of
15 health and physical education instructional materials as part of its
16 textbook review and adoption cycle.

17 F. In implementing the provisions of this act, the district
18 shall consult with the Healthy and Fit School Advisory Committee
19 established pursuant to Section 24-100a of Title 70 of the Oklahoma
20 Statutes.

21 SECTION 3. NEW LAW A new section of law to be codified
22 in the Oklahoma Statutes as Section 11-103.14 of Title 70, unless
23 there is created a duplication in numbering, reads as follows:
24

1 There is hereby created in the State Treasury a revolving fund
2 for the State Department of Education to be designated the "Health
3 Education Revolving Fund". The fund shall be a continuing fund, not
4 subject to fiscal year limitations, and shall consist of all monies
5 received by the State Department of Education from appropriations,
6 gifts, donations and bequests. All monies accruing to the credit of
7 the fund are hereby appropriated and may be budgeted and expended by
8 the State Department of Education for the purpose set forth in this
9 act. Expenditures from the fund shall be made upon warrants issued
10 by the State Treasurer against claims filed as prescribed by law
11 with the Director of the Office of Management and Enterprise
12 Services for approval and payment.

13 SECTION 4. AMENDATORY 70 O.S. 2011, Section 11-103.6, as
14 last amended by Section 44, Chapter 25, O.S.L. 2019 (70 O.S. Supp.
15 2019, Section 11-103.6), is amended to read as follows:

16 Section 11-103.6. A. 1. The State Board of Education shall
17 adopt subject matter standards for instruction of students in the
18 public schools of this state that are necessary to ensure there is
19 attainment of desired levels of competencies in a variety of areas
20 to include language, mathematics, science, social studies ~~and,~~
21 communication and health and physical education.

22 2. School districts shall develop and implement curriculum,
23 courses and instruction in order to ensure that students meet the
24

1 skills and competencies as set forth in this section and in the
2 subject matter standards adopted by the State Board of Education.

3 3. All students shall gain literacy at the elementary and
4 secondary levels. Students shall develop skills in reading,
5 writing, speaking, computing and critical thinking. For purposes of
6 this section, critical thinking means a manner of analytical
7 thinking which is logical and uses linear factual analysis to reach
8 a conclusion. They ~~also~~ shall learn about cultures and environments
9 - their own and those of others with whom they share the earth. All
10 students shall receive the instruction needed to lead healthy and
11 physically active lifestyles. Students, therefore, shall study
12 social studies, literature, languages, the arts, health, mathematics
13 and science. Such curricula shall provide for the teaching of a
14 hands-on career exploration program in cooperation with technology
15 center schools.

16 4. The subject matter standards shall be designed to teach the
17 competencies for which students shall be tested as provided in
18 Section 1210.508 of this title~~7~~, and shall be designed to prepare all
19 students for active citizenship, employment and/or successful
20 completion of postsecondary education without the need for remedial
21 coursework at the postsecondary level.

22 5. The subject matter standards shall be designed with rigor as
23 defined in paragraph 3 of subsection F of this section.

1 6. The subject matter standards for English Language Arts shall
2 give Classic Literature and nonfiction literature equal
3 consideration to other literature. In addition, emphasis shall be
4 given to the study of complete works of literature.

5 7. At a minimum, the subject matter standards for mathematics
6 shall require mastery of the standard algorithms in mathematics,
7 which is the most logical, efficient way of solving a problem that
8 consistently works, and for students to attain fluency in Euclidian
9 geometry.

10 8. The subject matter standards for history, social studies and
11 United States Government shall include the content of the United
12 States naturalization test, with an emphasis on the specific content
13 of the test and the ideas and concepts it references. The United
14 States naturalization test shall be made available in physical and
15 electronic online formats as an optional assessment tool for
16 teachers.

17 9. The subject matter standards for United States Government
18 shall include an emphasis on civics. For the purposes of this
19 section, "civics" means the study of the rights and duties of
20 Oklahoma and United States citizens and of how those governments
21 work.

22 10. The subject matter standards for health and physical
23 education shall include but not be limited to the domains of
24 physical, emotional, social and intellectual health. Health

1 literacy shall include the ability to obtain, process and understand
2 basic health information and services needed to make appropriate
3 health decisions. Health shall also include the importance of
4 proper nutrition and exercise, mental health and wellness, substance
5 abuse, coping skills for understanding and managing trauma,
6 establishing and maintaining positive relationships and responsible
7 decision making. Physical literacy shall include the ability to
8 move with competence and confidence in a wide variety of physical
9 activities in multiple environments that benefit the healthy
10 development of the whole person.

11 B. Subject to the provisions of subsection C of this section,
12 in order to graduate from a public high school accredited by the
13 State Board of Education with a standard diploma, students shall
14 complete the following college preparatory/work ready curriculum
15 units or sets of competencies at the secondary level:

16 1. Four units or sets of competencies of English to include
17 Grammar, Composition, Literature, or any English course approved for
18 college admission requirements;

19 2. Three units or sets of competencies of mathematics, limited
20 to Algebra I, Algebra II, Geometry, Trigonometry, Math Analysis,
21 Calculus, Advanced Placement Statistics, or any mathematics course
22 with content and/or rigor above Algebra I and approved for college
23 admission requirements;

1 3. Three units or sets of competencies of laboratory science
2 approved for college admission requirements, including one unit or
3 set of competencies of life science, meeting the standards for
4 Biology I; one unit or set of competencies of physical science,
5 meeting the standards for Physical Science, Chemistry or Physics;
6 and one unit or set of competencies from the domains of physical
7 science, life science or earth and space science such that the
8 content and rigor is above Biology I or Physical Science;

9 4. Three units or sets of competencies of history and
10 citizenship skills, including one unit of American History, 1/2 unit
11 of Oklahoma History, 1/2 unit of United States Government and one
12 unit from the subjects of History, Government, Geography, Economics,
13 Civics, or non-Western culture and approved for college admission
14 requirements;

15 5. Two units or sets of competencies of the same ~~foreign~~ world
16 or non-English language or two units of computer technology approved
17 for college admission requirements, whether taught at a high school
18 or a technology center school, including computer programming,
19 hardware, and business computer applications, such as word
20 processing, databases, spreadsheets, and graphics, excluding
21 keyboarding or typing courses;

22 6. One additional unit or set of competencies selected from
23 paragraphs 1 through 5 of this subsection or career and technology
24 education courses, concurrently enrolled courses, Advanced Placement

1 courses or International Baccalaureate courses approved for college
2 admission requirements; and

3 7. One unit or set of competencies of fine arts, such as music,
4 art, or drama, or one unit or set of competencies of speech.

5 C. In lieu of the requirements of subsection B of this section
6 which requires a college preparatory/work ready curriculum, a
7 student may enroll in the core curriculum as provided in subsection
8 D of this section upon written approval of the parent or legal
9 guardian of the student. For students under the age of eighteen
10 (18) school districts shall require a parent or legal guardian of
11 the student to meet with a designee of the school prior to
12 enrollment in the core curriculum. The State Department of
13 Education shall develop and distribute to school districts a form
14 suitable for this purpose, which shall include information on the
15 benefits to students of completing the college preparatory/work
16 ready curriculum as provided for in subsection B of this section.

17 D. For those students subject to the requirements of subsection
18 C of this section, in order to graduate from a public high school
19 accredited by the State Board of Education with a standard diploma,
20 students shall complete the following core curriculum units or sets
21 of competencies at the secondary level:

22 1. Language Arts - 4 units or sets of competencies, to consist
23 of 1 unit or set of competencies of grammar and composition, and 3
24

units or sets of competencies which may include, but are not limited to, the following courses:

- a. American Literature,
- b. English Literature,
- c. World Literature,
- d. Advanced English Courses, or
- e. other English courses with content and/or rigor equal to or above grammar and composition;

2. Mathematics - 3 units or sets of competencies, to consist of 1 unit or set of competencies of Algebra I or Algebra I taught in a contextual methodology, and 2 units or sets of competencies which may include, but are not limited to, the following courses:

- a. Algebra II,
- b. Geometry or Geometry taught in a contextual methodology,
- c. Trigonometry,
- d. Math Analysis or Precalculus,
- e. Calculus,
- f. Statistics and/or Probability,
- g. Computer Science or acceptance and successful completion of one (1) year of a full-time, three-hour career and technology program leading to an industry credential/certificate or college credit. The State Board of Career and Technology Education shall

1 promulgate rules to define the provisions of this ~~act~~
2 section related to the accepted industry-valued
3 credentials which are industry-endorsed or industry-
4 aligned. The list of accepted industry-valued
5 credentials shall be reviewed annually and updated at
6 least every three (3) years by the Board,

7 h. (1) contextual mathematics courses which enhance
8 technology preparation, or

9 (2) a science, technology, engineering and math
10 (STEM) block course meeting the requirements for
11 course competencies listed in paragraph 2 of
12 subsection B of this section, whether taught at
13 a:

14 (a) comprehensive high school, or

15 (b) technology center school when taken in the
16 tenth, eleventh or twelfth grade, taught by
17 a certified teacher, and approved by the
18 State Board of Education and the independent
19 district board of education,

20 i. mathematics courses taught at a technology center
21 school by a teacher certified in the secondary subject
22 area when taken in the tenth, eleventh or twelfth
23 grade upon approval of the State Board of Education
24 and the independent district board of education, or

j. any other mathematics course with content and/or rigor equal to or above Algebra I;

3. Science - 3 units or sets of competencies, to consist of 1 unit or set of competencies of Biology I or Biology I taught in a contextual methodology, and 2 units or sets of competencies in the areas of life, physical, or earth science or technology which may include, but are not limited to, the following courses:

- a. Chemistry I,
- b. Physics,
- c. Biology II,
- d. Chemistry II,
- e. Physical Science,
- f. Earth Science,
- g. Botany,
- h. Zoology,
- i. Physiology,
- j. Astronomy,
- k. Applied Biology/Chemistry,
- l. Applied Physics,
- m. Principles of Technology,
- n. qualified agricultural education courses,
- o. (1) contextual science courses which enhance technology preparation, or

1 (2) a science, technology, engineering and math
2 (STEM) block course meeting the requirements for
3 course competencies listed in paragraph 3 of
4 subsection B of this section, whether taught at
5 a:

6 (a) comprehensive high school, or

7 (b) technology center school when taken in the
8 tenth, eleventh or twelfth grade, taught by
9 a certified teacher, and approved by the
10 State Board of Education and the independent
11 district board of education,

12 p. science courses taught at a technology center school
13 by a teacher certified in the secondary subject area
14 when taken in the tenth, eleventh or twelfth grade
15 upon approval of the State Board of Education and the
16 independent district board of education, or

17 q. other science courses with content and/or rigor equal
18 to or above Biology I;

19 4. Social Studies - 3 units or sets of competencies, to consist
20 of 1 unit or set of competencies of United States History, 1/2 to 1
21 unit or set of competencies of United States Government, 1/2 unit or
22 set of competencies of Oklahoma History, and 1/2 to 1 unit or set of
23 competencies which may include, but are not limited to, the
24 following courses:

- a. World History,
- b. Geography,
- c. Economics,
- d. Anthropology, or
- e. other social studies courses with content and/or rigor equal to or above United States History, United States Government, and Oklahoma History;

5. Arts - 1 unit or set of competencies which may include, but is not limited to, courses in Visual Arts and General Music; and

6. Computer Education or World Language - 1 unit or set of competencies of computer technology, whether taught at a high school or a technology center school, including computer programming, hardware and business computer applications, such as word processing, databases, spreadsheets and graphics, excluding keyboarding or typing courses, or 1 unit or set of competencies of ~~foreign~~ world or non-English language.

E. 1. In addition to the curriculum requirements of either subsection B or D of this section, in order to graduate from a public high school accredited by the State Board of Education students shall complete the requirements for a personal financial literacy passport as set forth in the Passport to Financial Literacy Act **and. Beginning with the 2022-2023 school year, students entering the ninth grade shall complete the requirements for health education as set forth in Sections 1 through 3 of this act in order**

1 **to graduate.** Students shall also complete any additional course
2 requirements or recommended elective courses as may be established
3 by the State Board of Education and the district school board.
4 School districts shall strongly encourage students to complete two
5 units or sets of competencies of ~~foreign~~ world languages and two
6 units or sets of competencies of physical and health education.

7 2. No student shall receive credit for high school graduation
8 more than once for completion of the same unit or set of
9 competencies to satisfy the curriculum requirements of this section.

10 3. A school district shall not be required to offer every
11 course listed in subsections B and D of this section, but shall
12 offer sufficient courses to allow a student to meet the graduation
13 requirements during the secondary grade years of the student.

14 F. For purposes of this section:

15 1. "Contextual methodology" means academic content and skills
16 taught by utilizing real-world problems and projects in a way that
17 helps students understand the application of that knowledge;

18 2. "Qualified agricultural education courses" means courses
19 that have been determined by the State Board of Education to offer
20 the sets of competencies for one or more science content areas and
21 which correspond to academic science courses. Qualified
22 agricultural education courses shall include, but are not limited
23 to, Horticulture, Plant and Soil Science, Natural Resources and
24 Environmental Science, and Animal Science. The courses shall be

1 taught by teachers certified in agricultural education and comply
2 with all rules of the Oklahoma Department of Career and Technology
3 Education;

4 3. "Rigor" means a level of difficulty that is thorough,
5 exhaustive and accurate and is appropriate for the grade level;

6 4. "Sets of competencies" means instruction in those skills and
7 competencies that are specified in the subject matter standards
8 adopted by the State Board of Education and other skills and
9 competencies adopted by the Board, without regard to specified
10 instructional time; and

11 5. "Unit" means a Carnegie Unit as defined by the North Central
12 Association's Commission on Schools.

13 G. 1. The State Board of Education shall adopt a plan to
14 ensure that rigor is maintained in the content, teaching
15 methodology, level of expectations for student achievement, and
16 application of learning in all the courses taught to meet the
17 graduation requirements as specified in this section.

18 2. The State Board of Education shall allow as much flexibility
19 at the district level as is possible without diminishing the rigor
20 or undermining the intent of providing these courses. To accomplish
21 this purpose, the State Department of Education shall work with
22 school districts in reviewing and approving courses taught by
23 districts that are not specifically listed in subsections B and D of
24 this section. Options may include, but shall not be limited to,

1 courses taken by concurrent enrollment, advanced placement, or
2 correspondence, or courses bearing different titles.

3 3. The State Board of Education shall approve an advanced
4 placement computer science course to meet the requirements of course
5 competencies listed in paragraph 2 of subsection B of this section
6 if the course is taken in a student's senior year and the student is
7 concurrently enrolled in or has successfully completed Algebra II.

8 4. Technology center school districts may offer programs
9 designed in cooperation with institutions of higher education which
10 have an emphasis on a focused field of career study upon approval of
11 the State Board of Education and the independent district board of
12 education. Students in the tenth grade may be allowed to attend
13 these programs for up to one-half (1/2) of a school day and credit
14 for the units or sets of competencies required in paragraphs 2, 3
15 and 6 of subsection B or D of this section shall be given if the
16 courses are taught by a teacher certified in the secondary subject
17 area; provided, credit for units or sets of competencies pursuant to
18 subsection B of this section shall be approved for college admission
19 requirements.

20 5. If a student enrolls in a concurrent course, the school
21 district shall not be responsible for any costs incurred for that
22 course, unless the school district does not offer enough course
23 selection during the student's secondary grade years to allow the
24 student to receive the courses needed to meet the graduation

1 requirements of this section. If the school district does not offer
2 the necessary course selection during the student's secondary grade
3 years, it shall be responsible for the cost of resident tuition at
4 an institution in The Oklahoma State System of Higher Education,
5 fees, and books for the concurrent enrollment course, and providing
6 for transportation to and from the institution to the school site.

7 It is the intent of the Legislature that for students enrolled
8 in a concurrent enrollment course which is paid for by the school
9 district pursuant to this paragraph, the institution charge only the
10 supplementary and special service fees that are directly related to
11 the concurrent enrollment course and enrollment procedures for that
12 student. It is further the intent of the Legislature that fees for
13 student activities and student service facilities, including the
14 student health care and cultural and recreational service fees, not
15 be charged to such students.

16 6. Credit for the units or sets of competencies required in
17 subsection B or D of this section shall be given when such units or
18 sets of competencies are taken prior to ninth grade if the teachers
19 are certified or authorized to teach the subjects for high school
20 credit and the required rigor is maintained.

21 7. The three units or sets of competencies in mathematics
22 required in subsection B or D of this section shall be completed in
23 the ninth through twelfth grades. If a student completes any
24 required courses or sets of competencies in mathematics prior to

1 ninth grade, the student may take any other mathematics courses or
2 sets of competencies to fulfill the requirement to complete three
3 units or sets of competencies in grades nine through twelve after
4 the student has satisfied the requirements of subsection B or D of
5 this section.

6 8. All units or sets of competencies required for graduation
7 may be taken in any sequence recommended by the school district.

8 H. As a condition of receiving accreditation from the State
9 Board of Education, all students in grades nine through twelve shall
10 enroll in a minimum of six periods, or the equivalent in block
11 scheduling or other scheduling structure that allows for instruction
12 in sets of competencies, of rigorous academic and/or rigorous
13 vocational courses each day, which may include arts, vocal and
14 instrumental music, speech classes, and physical education classes.

15 I. 1. Academic and vocational-technical courses designed to
16 offer sets of competencies integrated or embedded within the course
17 that provide for the teaching and learning of the appropriate skills
18 and knowledge in the subject matter standards, as adopted by the
19 State Board of Education, may upon approval of the Board, in
20 consultation with the Oklahoma Department of Career and Technology
21 Education if the courses are offered at a technology center school
22 district, be counted for academic credit and toward meeting the
23 graduation requirements of this section.

24

1 2. Internet-based courses offered by a technology center school
2 that are taught by a certified teacher and provide for the teaching
3 and learning of the appropriate skills and knowledge in the subject
4 matter standards may, upon approval of the State Board of Education
5 and the independent district board of education, be counted for
6 academic credit and toward meeting the graduation requirements of
7 this section.

8 3. Internet-based courses or vocational-technical courses
9 utilizing integrated or embedded skills for which no subject matter
10 standards have been adopted by the State Board of Education may be
11 approved by the Board, in consultation with the Oklahoma Department
12 of Career and Technology Education if the courses are offered at a
13 technology center school district, if such courses incorporate
14 standards of nationally recognized professional organizations and
15 are taught by certified teachers.

16 4. Courses offered by a supplemental education organization
17 that is accredited by a national accrediting body and that are
18 taught by a certified teacher and provide for the teaching and
19 learning of the appropriate skills and knowledge in the subject
20 matter standards may, upon approval of the State Board of Education
21 and the school district board of education, be counted for academic
22 credit and toward meeting the graduation requirements of this
23 section.
24

1 J. The State Board of Education shall provide an option for
2 high school graduation based upon attainment of the desired levels
3 of competencies as required in tests pursuant to the provisions of
4 Section 1210.508 of this title. Such option shall be in lieu of the
5 amount of course credits earned.

6 K. The State Board of Education shall prescribe, adopt and
7 approve a promotion system based on the attainment by students of
8 specified levels of competencies in each area of the core
9 curriculum.

10 L. Children who have individualized education programs pursuant
11 to the Individuals with Disabilities Education Act (IDEA), and who
12 satisfy the graduation requirements through the individualized
13 education program for that student shall be awarded a standard
14 diploma.

15 M. Students who enter the ninth grade in or prior to the 2007-
16 08 school year who are enrolled in an alternative education program
17 and meet the requirements of their plans leading to high school
18 graduation developed pursuant to Section 1210.568 of this title
19 shall be awarded a standard diploma.

20 N. Any student who completes the curriculum requirements of the
21 International Baccalaureate Diploma Program shall be awarded a
22 standard diploma.

23 O. Any student who successfully completes an advanced
24 mathematics or science course offered pursuant to Section 1210.404

1 of this title shall be granted academic credit toward meeting the
2 graduation requirements pursuant to paragraph 2 or 3, as
3 appropriate, of subsection B or D of this section.

4 P. For purposes of this section, the courses approved for
5 college admission requirements shall be courses which are approved
6 by the Oklahoma State Regents for Higher Education for admission to
7 an institution within The Oklahoma State System of Higher Education.

8 Q. Students who have been denied a standard diploma by the
9 school district in which the student is or was enrolled for failing
10 to meet the requirements of this section may re-enroll in the school
11 district that denied the student a standard diploma following the
12 denial of a standard diploma. The student shall be provided
13 remediation or intervention and the opportunity to complete the
14 curriculum units or sets of competencies required by this section to
15 obtain a standard diploma. Students who re-enroll in the school
16 district to meet the graduation requirements of this section shall
17 be exempt from the hourly instructional requirements of Section 1-
18 111 of this title and the six-period enrollment requirements of this
19 section.

20 R. The State Department of Education shall collect and report
21 data by school site and district on the number of students who
22 enroll in the core curriculum as provided in subsection D of this
23 section.

24

1 SECTION 5. AMENDATORY 70 O.S. 2011, Section 24-100a, is
2 amended to read as follows:

3 Section 24-100a. A. This act shall be known and may be cited
4 as the "Healthy and Fit Kids Act of 2004".

5 B. Beginning September 1, 2004, each public school shall
6 establish a Healthy and Fit School Advisory Committee, to be
7 composed of at least six members. The Advisory Committee may be
8 composed of teachers, administrators, parents of students, health
9 care professionals and business community representatives.

10 A public school may combine the Healthy and Fit School Advisory
11 Committee with its Safe School Committee, established pursuant to
12 Section 24-100.5 of this title.

13 C. Each Healthy and Fit School Advisory Committee shall study
14 and make recommendations to the school principal regarding:

15 1. ~~Health education~~ Implementation of Sections 1 through 3 of
16 this act;

17 2. Physical education and physical activity; and

18 3. Nutrition and health services.

19 D. The principal shall give consideration to recommendations of
20 the committee.

21 E. The State Board of Education shall adopt rules for
22 monitoring compliance with this section and is authorized to report
23 a school as deficient on the accreditation report for noncompliance
24 with the provisions of this section.

~~SECTION 6. This act shall become effective July 1, 2020.~~

~~SECTION 7. It being immediately necessary for the preservation
of the public peace, health or 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 APPROPRIATIONS
February 26, 2020 - DO PASS AS AMENDED