

1 STATE OF OKLAHOMA

2 2nd Session of the 58th Legislature (2022)

3 COMMITTEE SUBSTITUTE

4 FOR ENGROSSED

5 SENATE BILL NO. 784

By: Bullard of the Senate

and

West (Kevin) of the House

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10 COMMITTEE SUBSTITUTE

11 An Act relating to education; creating the Oklahoma
12 Education Commission; setting expiration date of
13 Commission; providing for membership; requiring
14 organizational meeting by certain date; directing
15 certain members to serve as chair and vice-chair;
16 requiring approval of quorum for final action;
17 specifying quorum requirement; providing for
18 frequency of meetings; prescribing duties of
19 Commission; subjecting meetings to the Oklahoma Open
20 Meeting Act; prohibiting compensation or travel
21 reimbursement for members; providing for staff
22 support; requiring submission of certain report by
23 certain date; permitting certain complaints to be
24 filed with the Attorney General's Office of Civil
Rights Enforcement; authorizing Office to receive,
investigate, hear, and issue orders on complaints;
allowing Office to initiate certain periodic
compliance reviews; granting broad discretion to set
parameters for reviews; authorizing Office to conduct
directed investigation in certain circumstances;
amending 25 O.S. 2021, Section 1501, which relates to
the powers of the Attorney General's Office of Civil
Rights Enforcement; modifying powers of the Office;
providing for codification; and providing an
effective date.

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

2 SECTION 1. NEW LAW A new section of law to be codified
3 in the Oklahoma Statutes as Section 14-201 of Title 70, unless there
4 is created a duplication in numbering, reads as follows:

5 A. There is hereby created until November 1, 2027, the Oklahoma
6 Education Commission.

7 B. The Commission shall consist of fifteen (15) members to be
8 appointed as follows:

9 1. A member of the Oklahoma House of Representatives shall be
10 appointed by the Speaker of the Oklahoma House of Representatives;

11 2. A member of the Oklahoma State Senate shall be appointed by
12 the President Pro Tempore of the Oklahoma State Senate;

13 3. The Director of the Department of Corrections, or his or her
14 designee;

15 4. Four members with expertise in online and educational
16 innovation shall be appointed by the Chancellor of Higher Education,
17 one of whom shall be a representative of the Oklahoma State Regents
18 for Higher Education, one of whom shall be a representative of a
19 research institution within The Oklahoma State System of Higher
20 Education, one of whom shall be a representative of regional
21 institution within The Oklahoma State System of Higher Education,
22 and one of whom shall be a representative of a community college
23 within The Oklahoma State System of Higher Education;

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1 5. Four members with expertise in effective approaches to
2 classroom instruction and learning or educational innovation shall
3 be appointed by the Superintendent of Public Instruction, one of
4 whom shall represent the State Department of Education, one of whom
5 shall be a school district administrator, one of whom shall be a
6 classroom certified teacher, and one of whom shall be a high school
7 student; and

8 6. Four members with expertise in effective approaches to
9 career and technology education instruction and learning or
10 educational innovation shall be appointed by the Director of the
11 Oklahoma Department of Career and Technology Education, one of whom
12 shall represent the Oklahoma Department of Career and Technology
13 Education, one of whom shall be an administrator of a state
14 technology center school or college, one of whom shall be a
15 certified teacher at a state technology center school or college,
16 and one shall be a student enrolled at a state technology center
17 school or college.

18 C. The Commission shall hold an organizational meeting not
19 later than ninety (90) days after the effective date of this act.
20 The member of the Oklahoma House of Representatives shall serve as
21 chair of the Commission and the member of the Oklahoma State Senate
22 shall serve as vice-chair. A quorum of the membership of the
23 Commission shall be required to approve any final action of the
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1 Commission. For purposes of this section, eight members shall
2 constitute a quorum.

3 D. The Commission may meet as often as required to perform the
4 duties imposed upon it, but shall meet at least quarterly.

5 E. The Commission shall engage multiple stakeholders in
6 research, evaluation, and information sharing to conduct a study on
7 how to improve the quality of instruction and learning through
8 distance and remote modalities. Topic areas of the study shall
9 include, but are not limited to:

- 10 1. Support infrastructure;
- 11 2. Open education resources;
- 12 3. Compliance with the federal Americans with Disabilities Act;
- 13 4. Professional development; and
- 14 5. Modality research.

15 F. The Commission shall be subject to the Oklahoma Open Meeting
16 Act and the Oklahoma Open Records Act.

17 G. Members of the Commission shall not receive compensation or
18 travel reimbursement.

19 H. The Oklahoma House of Representatives shall provide staff
20 and administrative support for the Commission.

21 I. The Commission shall submit a report of its findings and
22 recommendations no later than November 1, 2027, to the Governor, the
23 President Pro Tempore of the Oklahoma State Senate and the Speaker
24 of the Oklahoma House of Representatives.

1 SECTION 2. NEW LAW A new section of law to be codified
2 in the Oklahoma Statutes as Section 9001 of Title 70, unless there
3 is created a duplication in numbering, reads as follows:

4 A. A complaint of an education civil rights violation or
5 discrimination may be filed with the Attorney General's Office of
6 Civil Rights Enforcement by anyone who believes that a public school
7 or institution of higher education in this state has discriminated
8 against someone on the basis of race, color, national origin,
9 religion, sex, age, genetic information, or disability.

10 B. The Office shall be authorized to receive, investigate,
11 hear, and issue orders on, complaints of discrimination or other
12 education civil rights violations filed pursuant to subsection A of
13 this section.

14 C. The Office may initiate periodic compliance reviews to
15 assess the practices of public schools or institutions of higher
16 education to determine whether they comply with the laws and
17 regulations enforced by the Office. The Office, under the direction
18 of the Attorney General, shall have broad discretion to determine
19 the substantive issues for review and the number and frequency of
20 the reviews.

21 D. In appropriate circumstances, the Office may conduct a
22 directed investigation when information indicates a possible failure
23 to comply with the laws and regulations enforced by the Office, the
24 matter warrants attention, and the compliance concern is not

1 otherwise being addressed through the complaint, compliance review,
2 or technical assistance activities of the Office.

3 SECTION 3. AMENDATORY 25 O.S. 2021, Section 1501, is
4 amended to read as follows:

5 Section 1501. A. Within the limitations provided by law, the
6 Attorney General's Office of Civil Rights Enforcement has the
7 following additional powers:

8 1. To promote the creation of local commissions on human
9 rights, and to contract with individuals and state, local and other
10 agencies, both public and private, including agencies of the federal
11 government and of other states;

12 2. To accept public grants or private gifts, bequests, or other
13 payments;

14 3. To receive, investigate, seek to conciliate, hold hearings
15 on, and pass upon complaints alleging violations of Section 1101 et
16 seq. of this title;

17 4. To furnish technical assistance requested by persons subject
18 to this act to further compliance with Section 1101 et seq. of this
19 title or an order issued thereunder;

20 5. To make provisions for technical and clerical assistance to
21 an advisory committee or committees appointed in accordance with
22 paragraph (b) of Section 953 of Title 74 of the Oklahoma Statutes;

23 6. To require answers to interrogatories, under the procedures
24 established by Section 3233 of Title 12 of the Oklahoma Statutes,

1 compel the attendance of witnesses, examine witnesses under oath or
2 affirmation, and require the production of documents in connection
3 with complaints filed under Section 1101 et seq. of this title, said
4 powers to be exercised only in relation to areas directly and
5 materially related to the complaint;

6 7. To hear, and issue orders on, complaints involving state
7 government agencies and departments, including public schools and
8 institutions of higher education in accordance with Section 2 of
9 this act, on the same basis as complaints involving private
10 employers; ~~and~~

11 8. To provide technical assistance and public information to
12 assist in preventing and eliminating discriminatory housing
13 practices; and

14 9. To promulgate rules as necessary to implement the provisions
15 of Section 1101 et seq. of this title.

16 B. The Attorney General shall:

17 1. At least annually, publish a written report recommending
18 legislative or other action to carry out the purposes of Section
19 1101 et seq. of this title as it relates to housing discrimination;

20 2. Make studies relating to the nature and extent of
21 discriminatory housing practices in this state; and

22 3. Cooperate with and, as appropriate, may provide technical
23 and other assistance to federal, state, local, and other public or
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1 private entities that are formulating or operating programs to
2 prevent or eliminate discriminatory housing practices.

3 SECTION 4. This act shall become effective November 1, 2022.

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