

An Act

ENROLLED SENATE
BILL NO. 553

By: Pugh, Thompson, and Nice of
the Senate

and

Sterling of the House

An Act relating to schools; amending 70 O.S. 2021, Section 3-104, as last amended by Section 2, Chapter 445, O.S.L. 2024 (70 O.S. Supp. 2024, Section 3-104), which relates to the powers and duties of the State Board of Education; adding reason for which a certificate cannot be issued or can be revoked; amending 70 O.S. 2021, Section 3-104.1, which relates to a prohibition on certification of individuals convicted of certain offenses; adding reason for which a certificate cannot be issued; amending 70 O.S. 2021, Section 5-142, which relates to criminal history record checks for school employment; requiring certain letter to include certain information; amending 70 O.S. 2021, Section 6-101.22, which relates to reasons for dismissal of career teachers; adding reason for dismissal; amending 70 O.S. 2021, Section 6-194, as last amended by Section 2, Chapter 15, O.S.L. 2023 (70 O.S. Supp. 2024, Section 6-194), which relates to professional development programs; directing certain program to include information about certain reporting requirements; amending 70 O.S. 2021, Section 1210.163, as amended by Section 46, Chapter 59, O.S.L. 2024 (70 O.S. Supp. 2024, Section 1210.163), which relates to requirements to report suspected abuse or neglect; requiring school employees to annually sign certain attestation; updating statutory language; updating statutory references; providing an effective date; and declaring an emergency.

SUBJECT: Schools

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

SECTION 1. AMENDATORY 70 O.S. 2021, Section 3-104, as last amended by Section 2, Chapter 445, O.S.L. 2024 (70 O.S. Supp. 2024, Section 3-104), is amended to read as follows:

Section 3-104. A. The supervision of the public school system of Oklahoma shall be vested in the State Board of Education and, subject to limitations otherwise provided by law, the State Board of Education shall:

1. Adopt policies and make rules for the operation of the public school system of the state;

2. Appoint, prescribe the duties, and fix the compensation of a secretary, an attorney, and all other personnel necessary for the proper performance of the functions of the State Board of Education. The secretary shall not be a member of the Board;

3. Submit to the Governor a departmental budget based upon major functions of the State Department of Education as prepared by the Superintendent of Public Instruction and supported by detailed data on needs and proposed operations as partially determined by the budgetary needs of local school districts filed with the State Board of Education for the ensuing fiscal year. Appropriations therefor shall be made in lump-sum form for each major item in the budget as follows:

- a. State Aid to schools,
- b. the supervision of all other functions of general and special education including general control, free textbooks, school lunch, Indian education, and all other functions of the Board and an amount sufficient to adequately staff and administer these services, and

- c. the Board shall determine the details by which the budget and the appropriations are administered. Annually, the Board shall make preparations to consolidate all of the functions of the Department in such a way that the budget can be based on two items, administration and aid to schools. A maximum amount for administration shall be designated as a part of the total appropriation;

4. On the first day of December preceding each regular session of the Legislature, prepare and deliver electronically to the Governor and the Legislature a report for the year ending June 30 immediately preceding the regular session of the Legislature. The report shall contain:

- a. detailed statistics and other information concerning enrollment, attendance, expenditures including State Aid, and other pertinent data for all public schools in this state,
- b. reports from each and every division within the State Department of Education as submitted by the Superintendent of Public Instruction and any other division, department, institution, or other agency under the supervision of the Board,
- c. recommendations for the improvement of the public school system of the state,
- d. a statement of the receipts and expenditures of the State Board of Education for the past year, and
- e. a statement of plans and recommendations for the management and improvement of public schools and such other information relating to the educational interests of the state as may be deemed necessary and desirable;

5. Provide for the formulation and adoption of curricula, courses of study, and other instructional aids necessary for the adequate instruction of pupils in the public schools;

6. Have authority in matters pertaining to the licensure and certification of persons for instructional, supervisory, and administrative positions and services in the public schools of the state subject to the provisions of Section 6-184 of this title, and shall formulate rules governing the issuance and revocation of certificates for superintendents of schools, principals, supervisors, librarians, clerical employees, school nurses, school bus drivers, visiting teachers, classroom teachers, and for other personnel performing instructional, administrative, and supervisory services, but not including members of boards of education and other employees who do not work directly with pupils, and may charge and collect reasonable fees for the issuance of such certificates:

- a. the State Department of Education shall not issue a certificate to and shall revoke the certificate of any person who has been convicted, whether upon a verdict or plea of guilty or upon a plea of nolo contendere, or received a suspended sentence or any probationary term for a crime or an attempt to commit a crime provided for in Section 843.5 of Title 21 of the Oklahoma Statutes if the offense involved sexual abuse or sexual exploitation as those terms are defined in Section 1-1-105 of Title 10A of the Oklahoma Statutes, Section 741, 843.1, if the offense included sexual abuse or sexual exploitation, 865 et seq., 885, 888, 891, 1021, 1021.2, 1021.3, 1040.13a, 1087, 1088, 1111.1, 1114, or 1123 of Title 21 of the Oklahoma Statutes or who enters this state and who has been convicted, received a suspended sentence, or received a deferred judgment for a crime or attempted crime which, if committed or attempted in this state, would be a crime or an attempt to commit a crime provided for in any of the laws, ~~and~~
- b. the State Department of Education shall not issue a certificate to and shall revoke the certificate of any person who has been convicted, whether upon a verdict or plea of guilty or upon a plea of nolo contendere, or received a suspended sentence or any probationary term for knowingly and willfully failing to report suspected abuse or neglect of a child in violation of

Section 1-2-101 of Title 10A of the Oklahoma Statutes,
and

- c. all funds collected by the State Department of Education for the issuance of certificates to instructional, supervisory, and administrative personnel in the public schools of the state shall be deposited in the "Teachers' Certification Fund" in the State Treasury and may be expended by the State Board of Education to finance the activities of the State Department of Education necessary to administer the program, for consultative services, publication costs, actual and necessary travel expenses as provided in the State Travel Reimbursement Act incurred by persons performing research work, and other expenses found necessary by the State Board of Education for the improvement of the preparation and certification of teachers in this state. Provided, any unobligated balance in the Teachers' Certification Fund in excess of Ten Thousand Dollars (\$10,000.00) on June 30 of any fiscal year shall be transferred to the General Revenue Fund of this state. Until July 1, 1997, the State Board of Education shall have authority for approval of teacher education programs. The State Board of Education shall also have authority for the administration of teacher residency and professional development, subject to the provisions of the Oklahoma Teacher Preparation Act;

7. Promulgate rules governing the classification, inspection, supervision, and accrediting of all public nursery, kindergarten, elementary and secondary schools, and on-site educational services provided by public school districts or state-accredited private schools in partial hospitalization programs, day treatment programs, and day hospital programs as defined in ~~this section~~, Section 3-104.7 of this title, and Section ~~603.4~~ 175.20 of Title 10 of the Oklahoma Statutes for persons between the ages of three (3) and twenty-one (21) years of age in the state. However, no school shall be denied accreditation solely on the basis of average daily attendance.

Any school district which maintains an elementary school and faces the necessity of relocating its school facilities because of construction of a lake, either by state or federal authority, which will inundate the school facilities, shall be entitled to receive probationary accreditation from the State Board of Education for a period of five (5) years after June 12, 1975, and any school district, otherwise qualified, shall be entitled to receive probationary accreditation from the State Board of Education for a period of two (2) consecutive years to attain the minimum average daily attendance. The Head Start and public nurseries or kindergartens operated from community action agency funds shall not be subjected to the accrediting rules of the State Board of Education. Neither will the State Board of Education make rules affecting the operation of the public nurseries and kindergartens operated from federal funds secured through community action agencies even though they may be operating in the public schools of the state. However, any of the Head Start or public nurseries or kindergartens operated under federal regulations may make application for accrediting from the State Board of Education but will be accredited only if application for the approval of the programs is made. The status of no school district shall be changed which will reduce it to a lower classification until due notice has been given to the proper authorities thereof and an opportunity given to correct the conditions which otherwise would be the cause of such reduction.

Private and parochial schools may be accredited and classified in like manner as public schools or, if an accrediting association is approved by the State Board of Education, by procedures established by the State Board of Education to accept accreditation by such accrediting association, if application is made to the State Board of Education for such accrediting;

8. Be the legal agent of this state to accept, in its discretion, the provisions of any Act of Congress appropriating or apportioning funds which are now, or may hereafter be, provided for use in connection with any phase of the system of public education in Oklahoma. It shall prescribe such rules as it finds necessary to provide for the proper distribution of such funds in accordance with the state and federal laws;

9. Be and is specifically hereby designated as the agency of this state to cooperate and deal with any officer, board, or authority of the United States Government under any law of the United States which may require or recommend cooperation with any state board having charge of the administration of public schools unless otherwise provided by law;

10. Be and is hereby designated as the ~~"State Educational Agency"~~ state educational agency referred to in Public Law 396 of the 79th Congress of the United States, as amended, which ~~law states that the act may be cited known as the "National Richard B. Russell National School Lunch Act"~~ Act, and the State Board of Education is hereby authorized and directed to accept the terms and provisions of the act and to enter into such agreements, not in conflict with the Constitution of Oklahoma or the Constitution and Statutes of the United States, as may be necessary or appropriate to secure for this state the benefits of the school lunch program established and referred to in the act;

11. Have authority to secure and administer the benefits of the Richard B. Russell National School Lunch Act, Public Law 396 of the 79th Congress of the United States, as amended, in this state and is hereby authorized to employ or appoint and fix the compensation of such additional officers or employees and to incur such expenses as may be necessary for the accomplishment of the above purpose, and administer the distribution of any state funds appropriated by the Legislature required as federal matching to reimburse on children's meals;

12. Accept and provide for the administration of any land, money, buildings, gifts, ~~donation~~ donations, or other things of value which may be offered or bequeathed to the schools under the supervision or control of the Board;

13. Have authority to require persons having administrative control of all school districts in Oklahoma to make such regular and special reports regarding the activities of the schools in the districts as the Board may deem needful for the proper exercise of its duties and functions. Such authority shall include the right of the State Board of Education to withhold all state funds under its control, to withhold official recognition including accrediting, until such required reports have been filed and accepted in the

office of the Board and to revoke the certificates of persons failing or refusing to make such reports;

14. Have general supervision of the school lunch program. The State Board of Education may sponsor workshops for personnel and participants in the school lunch program and may develop, print, and distribute free of charge or sell any materials, books, and bulletins to be used in the school lunch programs. There is hereby created in the State Treasury a revolving fund for the Board, to be designated the "School Lunch Workshop Revolving Fund". The fund shall consist of all fees derived from or on behalf of any participant in any such workshop sponsored by the State Board of Education, or from the sale of any materials, books, and bulletins, and funds shall be disbursed for expenses of such workshops and for developing, printing, and distributing of the materials, books, and bulletins relating to the school lunch program. The fund shall be administered in accordance with Section 155 of Title 62 of the Oklahoma Statutes;

15. Prescribe all forms for school district and county officers to report to the State Board of Education where required. The State Board of Education shall also prescribe a list of appropriation accounts by which the funds of school districts shall be budgeted, accounted for, and expended; and it shall be the duty of the State Auditor and Inspector in prescribing all budgeting, accounting, and reporting forms for school funds to conform to such lists;

16. Provide for the establishment of a uniform system of pupil and personnel accounting, records, and reports;

17. Have authority to provide for the health and safety of school children and school personnel while under the jurisdiction of school authorities;

18. Provide for the supervision of the transportation of pupils;

19. Have authority, upon request of the local school board, to act in behalf of the public schools of the state in the purchase of transportation equipment;

20. Have authority and is hereby required to perform all duties necessary to the administration of the public school system in Oklahoma as specified in the Oklahoma School Code; and, in addition thereto, those duties not specifically mentioned herein if not delegated by law to any other agency or official;

21. Administer the State Public Common School Building Equalization Fund established by Section 32 of Article X of the Oklahoma Constitution. Any monies as may be appropriated or designated by the Legislature, other than ad valorem taxes, any other funds identified by the State Department of Education, which may include, but not be limited to, grants-in-aid from the federal government for building purposes, the proceeds of all property that shall fall to the state by escheat, penalties for unlawful holding of real estate by corporations, and capital gains on assets of the permanent school funds, shall be deposited in the State Public Common School Building Equalization Fund. The fund shall be used to aid school districts and charter schools in acquiring buildings, subject to the limitations fixed by Section 32 of Article X of the Oklahoma Constitution. It is hereby declared that redbud school grants disbursed from the State Public Common School Building Equalization Fund shall be used for the same purposes as a building fund, as provided for in Section 1-118 of this title. It is hereby declared that the term "school districts" as used in Section 32 of Article X of the Oklahoma Constitution shall mean school districts and eligible charter schools as defined in subsection B of this section. The State Board of Education shall disburse redbud school grants annually from the State Public Common School Building Equalization Fund to public schools and eligible charter schools pursuant to subsection B of this section. The Board shall promulgate rules for the implementation of disbursing redbud school grants pursuant to this section. The State Board of Education shall prescribe rules for making grants of aid from, and for otherwise administering, the fund pursuant to the provisions of this paragraph, and may employ and fix the duties and compensation of technicians, aides, clerks, stenographers, attorneys, and other personnel deemed necessary to carry out the provisions of this paragraph. The cost of administering the fund shall be paid from monies appropriated to the State Board of Education for the operation of the State Department of Education. From monies apportioned to the fund, the State Department of Education may

reserve not more than one-half of one percent (1/2 of 1%) for purposes of administering the fund;

22. Recognize that the Director of the Department of Corrections shall be the administrative authority for the schools which are maintained in the state reformatories and shall appoint the principals and teachers in such schools. Provided, that rules of the State Board of Education for the classification, inspection, and accreditation of public schools shall be applicable to such schools; and such schools shall comply with standards set by the State Board of Education; and

23. Have authority to administer a revolving fund which is hereby created in the State Treasury, to be designated the "Statistical Services Revolving Fund". The fund shall consist of all monies received from the various school districts of the state, the United States Government, and other sources for the purpose of furnishing or financing statistical services and for any other purpose as designated by the Legislature. The State Board of Education is hereby authorized to enter into agreements with school districts, municipalities, the United States Government, foundations, and other agencies or individuals for services, programs, or research projects. The Statistical Services Revolving Fund shall be administered in accordance with Section 155 of Title 62 of the Oklahoma Statutes.

B. 1. The redbud school grants shall be determined by the State Department of Education as follows:

- a. divide the county four-mill levy revenue by four to determine the nonchargeable county four-mill revenue for each school district,
- b. determine the amount of new revenue generated by the five-mill building fund levy as authorized by Section 10 of Article X of the Oklahoma Constitution for each school district as reported in the Oklahoma Cost Accounting System for the preceding fiscal year,
- c. add the amounts calculated in subparagraphs a and b of this paragraph to determine the nonchargeable millage for each school district,

- d. add the nonchargeable millage in each district statewide as calculated in subparagraph c of this paragraph and divide the total by the average daily membership in public schools statewide based on the preceding school year's average daily membership, according to the provisions of Section 18-107 of this title. This amount is the statewide nonchargeable millage per student, known as the baseline local funding per student,
- e. all eligible charter schools shall be included in these calculations as unique school districts, separate from the school district that may sponsor the eligible charter school, and the total number of districts shall be used to determine the statewide average baseline local funding per student,
- f. for each school district or eligible charter school which is below the baseline local funding per student, the Department shall subtract the baseline local funding per student from the average nonchargeable millage per student of the school district or eligible charter school to determine the nonchargeable millage per student shortfall for each district, and
- g. the nonchargeable millage per student shortfall for a school district or eligible charter school shall be multiplied by the average daily membership of the preceding school year of the eligible school district or eligible charter school. This amount shall be the redbud school grant amount for the school district or eligible charter school.

2. For fiscal year 2022, monies for the redbud school grants shall be expended from the funds apportioned pursuant to Section 426 of Title 63 of the Oklahoma Statutes. For fiscal year 2023 and each subsequent fiscal year, monies for the redbud school grants shall be appropriated pursuant to Section 426 of Title 63 of the Oklahoma Statutes, not to exceed three-fourths ($\frac{3}{4}$) of the tax collected in the preceding fiscal year pursuant to Section 426 of Title 63 of the Oklahoma Statutes as determined by the Oklahoma Tax Commission. For

fiscal year 2023 and each subsequent fiscal year, if such appropriated funds are insufficient to fund the redbud school grants, then an additional apportionment of funds shall be made from sales tax collections as provided by subsection D of Section 1353 of Title 68 of the Oklahoma Statutes. If both funds are insufficient, the Department shall promulgate rules to permit a decrease to the baseline local funding per student to the highest amount allowed with the funding available.

3. As used in this section, "eligible charter school" shall mean a charter school which is sponsored pursuant to the provisions of the Oklahoma Charter Schools Act. Provided, however, eligible charter school shall not include a statewide virtual charter school sponsored by the Statewide Charter School Board but shall only include those which provide in-person or blended instruction, as provided by Section 1-111 of this title, to not less than two-thirds (2/3) of students as the primary means of instructional service delivery.

4. The Department shall develop a program to acknowledge the redbud school grant recipients and shall include elected members of the House of Representatives and Senate who represent the school districts and eligible charter schools.

5. The Department shall create a dedicated page on its website listing annual redbud school grant recipients, amount awarded to each recipient, and other pertinent information about the Redbud School Funding Act.

6. The Department shall provide the chair of the House Appropriations and Budget Committee and the chair of the Senate Appropriations Committee no later than February 1 of each year with an estimate of the upcoming year's redbud school grant allocation as prescribed by this section.

SECTION 2. AMENDATORY 70 O.S. 2021, Section 3-104.1, is amended to read as follows:

Section 3-104.1. No person shall receive a certificate for an instructional, supervisory, or administrative position in an accredited school of this state who has been convicted of a felony, any crime involving moral turpitude, knowingly and willfully failing

to report suspected abuse or neglect of a child in violation of Section 1-2-101 of Title 10A of the Oklahoma Statutes, or a felony violation of the narcotic laws of the United States or ~~the State of Oklahoma~~ this state, provided the conviction was entered within the preceding ten-year period.

SECTION 3. AMENDATORY 70 O.S. 2021, Section 5-142, is amended to read as follows:

Section 5-142. A. Except as otherwise provided for in subsection F of this section, for purposes of employment, a board of education may request in writing to the State Board of Education that a national criminal history record check be conducted of any employee of the school and shall request such information for any person seeking employment with the school; provided, that a board of education shall not be required to obtain a new criminal history record check for an individual who has obtained certification from the State Department of Education within the previous twelve (12) months. The Oklahoma State Bureau of Investigation (OSBI) shall obtain fingerprints of the employee or prospective employee and require that the person pay a search fee not to exceed Fifty Dollars (\$50.00) or the cost of the search, whichever is the lesser amount. The fee shall be deposited in the OSBI Revolving Fund. School districts may reimburse employees for the cost of the search. The State Board of Education shall contact the ~~Oklahoma State Bureau of Investigation~~ OSBI for any national criminal history record of the person within fourteen (14) working days of receiving a written request from the board of education.

B. The Oklahoma State Bureau of Investigation shall provide the national criminal history record check requested by the State Board of Education within fourteen (14) working days from the receipt of the request. The Bureau may contact the Federal Bureau of Investigation to obtain the information requested.

C. The State Board of Education shall provide the information received from the Oklahoma State Bureau of Investigation to the board of education within fourteen (14) days from the receipt of the information. The State Board of Education shall provide any follow-up information received from the OSBI concerning a person for ~~which~~ whom a national criminal history record check was requested to the employing board of education.

D. For the purpose of this section:

1. "Board of education" includes both public and private boards of education within or outside this state;

2. "Employing agency" means a political subdivision or law enforcement agency in this state;

3. "Law enforcement officer" means a peace or police officer who is certified by the Council on Law Enforcement Education and Training;

4. "National criminal history record check" means a national criminal history record check as defined in Section 150.9 of Title 74 of the Oklahoma Statutes; and

5. "Prospective employee" means an individual who has received an offer of temporary employment from a school district pending the results of the national criminal history record check.

E. Each public board of education within this state shall promulgate a statement regarding the felony record search policy for that school district. The policy may permit temporary employment of prospective employees for a maximum of sixty (60) days pending receipt of results of national criminal history record check requests. The temporary employment of the prospective employee shall terminate after sixty (60) days unless the school district receives the results of the national criminal history record check. The sixty-day temporary employment period shall begin on the first day the prospective employee reports for duty at the employing school district. Prospective employees shall be notified of the requirement, the fee, and the reimbursement policy when first interviewed concerning employment. The school district's reimbursement policy shall provide, at a minimum, that employees shall be promptly reimbursed in full for the fee if employed by the district at the time the national criminal history record check request is made unless the person was employed pending receipt of results ~~as set forth above~~.

F. 1. Any person who has been employed as a full-time teacher by a school district in this state and applies for employment as a

full-time teacher in ~~another~~ a school district in this state may not be required to have a national criminal history record check if the teacher produces a copy of a national criminal history record check completed within the preceding five (5) years and a letter from the school district in which the teacher was employed stating the teacher left in good standing and whether the teacher was the subject of any allegation of inappropriate behavior with a student.

2. For any person applying for employment as a substitute teacher, a national criminal history record check shall be required for the school year; provided, however, a board of education may choose whether to require a national criminal history record check from a prospective substitute teacher who has been employed by the school district in the last year. Any person applying for employment as a substitute teacher in more than one school district shall only be required to have one national criminal history record check, and, upon the request of the substitute teacher, that record check shall be sent to all other school districts in which the substitute teacher is applying to teach.

3. Any person employed as a full-time teacher by a school district in this state in the five (5) years immediately preceding an application for employment as a substitute teacher may not be required to have a national criminal history record check, if the teacher produces a copy of a national criminal history record check completed within the preceding five (5) years and a letter from the school district in which the teacher was last employed stating the teacher left in good standing and whether the teacher was the subject of any allegation of inappropriate behavior with a student.

4. Any person employed as a substitute teacher by a school district in this state for a minimum of five (5) years immediately preceding an application for employment as a full-time teacher in a school district in this state may not be required to have a national criminal history record check if the teacher produces a copy of a national criminal history record check completed within the preceding five (5) years and a letter from the school district in which the teacher was employed as a substitute teacher stating the teacher left in good standing and whether the teacher was the subject of any allegation of inappropriate behavior with a student.

5. Any person employed as a full-time teacher by a school district in this state for ten (10) or more consecutive years immediately preceding an application for employment as a substitute teacher in the same school district may not be required to have a national criminal history record check for as long as the person remains employed for consecutive years by that school district as a substitute teacher, if the teacher left full-time employment in good standing. If the teacher applies for employment as a substitute teacher in another school district, a national criminal history record check shall be required.

G. 1. Except as otherwise provided by this subsection, any teacher employed by an Oklahoma school district prior to ~~the effective date of this act~~ May 19, 2020, who does not have an Oklahoma criminal history record check from the Oklahoma State Bureau of Investigation as well as a national criminal history record check, as defined in Section 150.9 of Title 74 of the Oklahoma Statutes, on file with his or her employing district as required by this section shall complete the criminal history record checks upon the next renewal of his or her ~~Standard Teaching Certificate~~ standard teaching certificate as required by Section 6-154.1 of this title or State Board of Education administrative rules promulgated thereto.

2. Except as otherwise provided by this subsection, any other person employed by an Oklahoma school district prior to ~~the effective date of this act~~ May 19, 2020, who does not have an Oklahoma criminal history record check from the Oklahoma State Bureau of Investigation as well as a national criminal history record check, as defined in Section 150.9 of Title 74 of the Oklahoma Statutes, on file with his or her employing district as required by this section shall have until July 1, 2022, to complete the criminal history record checks.

3. Any teacher eligible to retire from the Teachers' Retirement System of Oklahoma who does not have an Oklahoma criminal history record check from the Oklahoma State Bureau of Investigation as well as a national criminal history record check, as defined in Section 150.9 of Title 74 of the Oklahoma Statutes, on file with his or her employing district as required by this section shall complete the criminal history record checks by the earlier of the following dates:

- a. July 1, 2022, or
- b. at the next renewal of his or her ~~Standard Teaching Certificate~~ standard teaching certificate as required by Section 6-154.1 of this title or State Board of Education administrative rules promulgated thereto.

H. The provisions of this section shall not apply to technology center employees hired on a part-time or temporary basis for the instruction of adult students only.

I. The provisions of this section shall not apply to law enforcement officers who are employed by an employing agency at the time of application for employment at a public school district.

J. Nothing in this section shall be construed to impose liability on school districts, except in negligence, for employing prospective employees within the sixty-day temporary employment window pending the results of the national criminal history record check.

SECTION 4. AMENDATORY 70 O.S. 2021, Section 6-101.22, is amended to read as follows:

Section 6-101.22. A. Subject to the provisions of the Teacher Due Process Act of 1990, a career teacher may be dismissed or not reemployed for:

1. Willful neglect of duty;
2. Repeated negligence in performance of duty;
3. Mental or physical abuse to a child;
4. Knowing and willful failure to report suspected child abuse or neglect;
5. Incompetency;
- 5- 6. Instructional ineffectiveness;

- ~~6.~~ 7. Unsatisfactory teaching performance;
- ~~7.~~ 8. Commission of an act of moral turpitude; or
- ~~8.~~ 9. Abandonment of contract.

B. Subject to the provisions of the Teacher Due Process Act of 1990, a probationary teacher may be dismissed or not reemployed for cause.

C. During the 2017-2018 school year and thereafter:

1. A career teacher who has received a district evaluation rating of "ineffective" as measured pursuant to the Oklahoma Teacher and Leader Effectiveness Evaluation System (TLE) for two (2) consecutive school years shall be dismissed or not reemployed on the grounds of instructional ineffectiveness by the school district, subject to the provisions of the Teacher Due Process Act of 1990. However, the superintendent may recommend and the school district board of education may approve continued employment of the teacher; and

2. A career teacher who has received a district evaluation rating of "needs improvement" or lower as measured pursuant to the TLE for three (3) consecutive school years may be dismissed or not reemployed on the grounds of instructional ineffectiveness by the school district, subject to the provisions of the Teacher Due Process Act of 1990.

D. During the 2017-2018 school year and thereafter:

1. A probationary teacher who has received a district evaluation rating of "ineffective" as measured pursuant to the TLE for two (2) consecutive school years may be dismissed or not reemployed by the school district subject to the provisions of the Teacher Due Process Act of 1990; and

2. A probationary teacher who has not attained career teacher status within a four-year period may be dismissed or not reemployed by the school district, subject to the provisions of the Teacher Due Process Act of 1990.

E. A teacher shall be dismissed or not reemployed, unless a presidential or gubernatorial pardon has been issued, if during the term of employment the teacher is convicted in this state, the United States, or another state of:

1. Any sex offense subject to the Sex Offenders Registration Act in this state or subject to another state's or the federal sex offender registration provisions; ~~or~~

2. Knowingly and willfully failing to report suspected abuse or neglect of a child in violation of Section 1-2-101 of Title 10A of the Oklahoma Statutes; or

3. Any felony offense.

F. A teacher may be dismissed, refused employment, or not reemployed after a finding that such person has engaged in acts that could form the basis of criminal charges sufficient to result in the denial or revocation of a certificate for a reason set forth in subparagraph a or b of paragraph 6 of Section 3-104 of this title.

G. As used in this section, "abandonment of contract" means the failure of a teacher to report at the beginning of the contract term or otherwise perform the duties of a contract of employment when the teacher has accepted other employment or is performing work for another employer that prevents the teacher from fulfilling the obligations of the contract of employment.

H. A school district shall notify the State Board of Education within ten (10) days of the dismissal or nonreemployment of a probationary or career teacher for reasons outlined in subsection F of this section.

SECTION 5. AMENDATORY 70 O.S. 2021, Section 6-194, as last amended by Section 2, Chapter 15, O.S.L. 2023 (70 O.S. Supp. 2024, 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.

B. Each professional development committee shall include classroom teachers, administrators, school counselors or licensed mental health providers, 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.

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 at a frequency as determined by the board of education. 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.

D. A program which includes the following information shall be completed the first year a certified teacher is employed by a school district, and then once every fifth academic year:

1. Training on recognition of child abuse and neglect;
2. Recognition of child sexual abuse;

3. Proper reporting of suspected abuse including the reporting requirements of Section 1-2-101 of Title 10A of the Oklahoma Statutes and Section 1210.163 of this title and associated penalties for failure to report; and

4. Available resources.

E. 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.

F. One time per year, beginning in the 2020-2021 school year, a dyslexia awareness program shall be offered. Beginning in the 2023-

2024 school year, the program shall include information and training in dysgraphia. At a minimum, the program shall include:

1. Training in awareness of dyslexia characteristics in students;
2. Training in effective classroom instruction to meet the needs of students with dyslexia; and
3. Available dyslexia resources for teachers, students and parents.

G. 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; provided, no more than a total of one hundred fifty (150) hours of local, state, or federal professional development or training shall be required for classroom teachers during any five-year period. 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. Teachers shall maintain written documentation of all their completed professional development.

H. 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.

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

SECTION 6. AMENDATORY 70 O.S. 2021, Section 1210.163, as amended by Section 46, Chapter 59, O.S.L. 2024 (70 O.S. Supp. 2024, Section 1210.163), is amended to read as follows:

Section 1210.163. A. Every school employee having reason to believe that a student under the age of eighteen (18) years is a victim of abuse or neglect shall report the matter immediately to the Department of Human Services and local law enforcement. Reports to the Department shall be made to the hotline provided for in Section 1-2-101 of Title 10A of the Oklahoma Statutes. Any allegation of abuse or neglect reported in any manner to a county office shall immediately be referred to the hotline by the Department.

B. Every school employee having reason to believe that a student age eighteen (18) years or older is a victim of abuse or neglect shall report the matter immediately to local law enforcement.

C. In reports required by subsection A or B of this section, local law enforcement shall keep confidential and redact any information identifying the reporting school employee unless otherwise ordered by the court. A school employee with knowledge of a report required by subsection A or B of this section shall not disclose information identifying the reporting school employee unless otherwise ordered by the court or as part of an investigation by local law enforcement or the Department.

D. Every school employee shall annually sign an attestation acknowledging his or her responsibility to report suspected child abuse or neglect pursuant to this section and Section 1-2-101 of Title 10A of the Oklahoma Statutes.

E. For the purposes of this section, "child abuse and neglect" shall include, but not be limited to:

1. Child abuse as defined in Section 843.5 of Title 21 of the Oklahoma Statutes;

2. Sexual abuse or sexual exploitation as defined in Section 1-1-105 of Title 10A of the Oklahoma Statutes;

3. Contributing to the delinquency of a minor, as defined described in Section 856 of Title 21 of the Oklahoma Statutes;

4. Trafficking in children, as defined in Section 866 of Title 21 of the Oklahoma Statutes;

5. Incest, as defined in Section 885 of Title 21 of the Oklahoma Statutes;

6. Forcible sodomy, as described in Section 888 of Title 21 of the Oklahoma Statutes;

7. Maliciously, forcibly or fraudulently taking or enticing a child away, as described in Section 891 of Title 21 of the Oklahoma Statutes;

8. Soliciting or aiding a minor child to perform or showing, exhibiting, loaning or distributing obscene material or child sexual abuse material, as described in Section 1021 of Title 21 of the Oklahoma Statutes;

9. Procuring or causing the participation of any minor child in any child sexual abuse material or knowingly possessing, procuring or manufacturing child sexual abuse material, as described in Section 1021.2 of Title 21 of the Oklahoma Statutes;

10. Permitting or consenting to the participation of a minor child in any child sexual abuse material, as described in Section 1021.3 of Title 21 of the Oklahoma Statutes;

11. Facilitating, encouraging, offering or soliciting sexual conduct with a minor, as described in Section 1040.13a of Title 21 of the Oklahoma Statutes;

12. Offering or offering to secure a minor child for the purposes of prostitution or any other lewd or indecent act, as described in Section 1087 of Title 21 of the Oklahoma Statutes;

13. Causing, inducing, persuading or encouraging a minor child to engage or continue to engage in prostitution, as described in Section 1088 of Title 21 of the Oklahoma Statutes;

14. Rape or rape by instrumentation, as described in Sections 1111.1 and 1114 of Title 21 of the Oklahoma Statutes; and

15. Making any oral, written or electronically or computer-generated lewd or indecent proposals to a minor child under the age of sixteen (16) as described in Section 1123 of Title 21 of the Oklahoma Statutes.

SECTION 7. This act shall become effective July 1, 2025.

SECTION 8. 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.

Passed the Senate the 24th day of March, 2025.

Presiding Officer of the Senate

Passed the House of Representatives the 1st day of May, 2025.

Presiding Officer of the House
of Representatives

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this _____

day of _____, 20_____, at _____ o'clock _____ M.

By: _____

Approved by the Governor of the State of Oklahoma this _____

day of _____, 20_____, at _____ o'clock _____ M.

Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this _____

day of _____, 20_____, at _____ o'clock _____ M.

By: _____