

STATE OF OKLAHOMA

2nd Session of the 60th Legislature (2026)

SENATE BILL 1634

By: Jett

AS INTRODUCED

An Act relating to schools; stating legislative intent; prohibiting the State Department of Education from accepting certain funds provided for certain purpose; directing the Department to review certain contracts and terminate any related to certain health care services or health centers or clinics; directing the Department, in certain consultation, to conduct a review of individualized education programs; directing removal of certain services from certain plans; directing certain evaluation of certain students; requiring review of certain school district and charter school contracts; directing termination of contracts related to certain health care services or health centers or clinics; providing for promulgation of rules; providing for noncodification; providing for codification; providing an effective date; and declaring an emergency.

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

SECTION 1. NEW LAW A new section of law not to be codified in the Oklahoma Statutes reads as follows:

The Legislature finds and declares the following:

1. School-based services provided in accordance with the Individuals with Disabilities Education Act (IDEA) are intended exclusively for students with disabilities to ensure access to a

1 free appropriate public education (FAPE) for students with an  
2 individualized education program (IEP);

3 2. IDEA does not allow state legislators, the Superintendent of  
4 Public Instruction, the State Department of Education, school  
5 districts in this state, or the Oklahoma Health Care Authority to  
6 expand school-based services beyond the scope provided for in  
7 paragraph 1 of this section;

8 3. School-based health centers function as primary health care  
9 providers that operate on or off campus or via telehealth and fall  
10 outside the professional and academic scope of public education;

11 4. School-based health centers grant broad authority to school-  
12 based health care providers to conduct medical testing, administer  
13 treatment, and make medical decisions based on one-time parental  
14 consent without requiring the presence of a parent or legal guardian  
15 at the time testing is administered or treatment is provided;

16 5. Medical ethics and established health care practices  
17 prohibit physicians from treating minors without direct involvement  
18 from a parent or legal guardian, ensuring the prevention of power  
19 imbalances and safeguarding the rights of a parent or legal  
20 guardian; and

21 6. The Oklahoma Constitution does not establish a right to  
22 school-based health care; however, it explicitly defines the purpose  
23 of public schools in this state as academic instruction, independent  
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1 of sectarian control, with no provision for state-funded health care  
2 clinics.

3 SECTION 2. NEW LAW A new section of law to be codified  
4 in the Oklahoma Statutes as Section 1-127 of Title 70, unless there  
5 is created a duplication in numbering, reads as follows:

6 A. 1. The State Department of Education shall be prohibited  
7 from accepting federal funds including, but not limited to, block  
8 grants provided for the purpose of expanding school-based health  
9 care services or implementing school-based health centers or  
10 clinics.

11 2. The State Department of Education shall review all existing  
12 contracts entered into by the Department or the State Board of  
13 Education and terminate any related to expanding school-based health  
14 care services or implementing school-based health centers or  
15 clinics.

16 B. The State Department of Education, in consultation with  
17 school districts in this state, shall conduct a comprehensive  
18 compliance review of all individualized education programs (IEPs)  
19 developed for students to ensure that any medical services provided  
20 in accordance with an IEP are educationally necessary. If an IEP  
21 contains medical services that are not educationally necessary, such  
22 services shall be removed and the student shall be evaluated to  
23 determine whether a Section 504 Plan developed pursuant to the  
24 Rehabilitation Act of 1973 is more appropriate.

1 C. School district boards of education or charter school  
2 governing boards in this state shall review all existing contracts  
3 and shall terminate any related to expanding school-based health  
4 care services or implementing school-based health centers or  
5 clinics.

6 D. The State Board of Education may promulgate rules to  
7 implement the provisions of this section.

8 SECTION 3. This act shall become effective July 1, 2026.

9 SECTION 4. It being immediately necessary for the preservation  
10 of the public peace, health, or safety, an emergency is hereby  
11 declared to exist, by reason whereof this act shall take effect and  
12 be in full force from and after its passage and approval.

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