



JOY HOFMEISTER  
STATE SUPERINTENDENT *of* PUBLIC INSTRUCTION  
OKLAHOMA STATE DEPARTMENT *of* EDUCATION

MEMORANDUM

**TO:** Oklahoma State Board of Education  
**FROM:** Superintendent Joy Hofmeister  
**DATE:** March 25, 2021  
**SUBJECT:** Active education-related bills as of March 19, 2021

**Academic Counseling**

[HB2399](#) – Allows students in 11th or 12th grade whose parents became deceased after their 10<sup>th</sup> grade year and whose adoptive parents have a federal adjusted gross income of less than \$60,000 per year, to be eligible for the Oklahoma Higher Learning Access Program (OHLAP), also known as Oklahoma's Promise. Effective November 1, 2021.

(New) [HB2750](#) – Requires colleges and universities within the Oklahoma State System of Higher Education to grant course credit to students who score a 3 or higher on an Advanced Placement exam. Colleges and universities must post their credit policy regarding Advanced Placement exams on their websites, beginning with the 2021-2022 fall academic term, and must conduct biennial reviews of the policy. Effective July 1, 2021.

[SB68](#) – Allows the children of active duty military personnel to pre-enroll in a local school district prior to moving to Oklahoma and be considered in compliance with school residency requirements prior to arrival. Effective July 1, 2021.

[SB69](#) – Allows the children of active duty military personnel to pre-enroll in statewide virtual charter schools prior to moving to Oklahoma and be considered in compliance with school residency requirements prior to arrival. Effective July 1, 2021.

(New) [SB132](#) – Amends the Oklahoma Higher Learning Access Program (OHLAP) to allow students in public or private high schools to enroll in the program prior to their eleventh grade year, instead of prior to their tenth grade year, or prior to turning 16-years-old if educated by other means. Effective July 1, 2021.

[SB238](#) – Creates a taskforce until December 31, 2021 to explore a requirement for high school students to complete the Free Application for Federal Student Aid (FAFSA) prior to graduation. The nine-member taskforce will be composed of education stakeholders and include the State Superintendent of Public Instruction or a designee. Effective July 1, 2021.

[SB261](#) – Creates the Oklahoma Student Borrower's Bill of Rights Act, directing the Attorney General to compose the "Oklahoma Student Borrower's Bill of Rights" for a student loan borrower who takes out a student education loan with a student loan servicer. The statement must include plain and clear language prohibiting a student loan servicer from engaging in any act that

misleads, deceives, or defrauds student borrowers. Loan servicers are also prohibited from making false statements or omitting material facts when submitting reports to a governmental agency. Effective November 1, 2021.

(New) [SB292](#) – Creates a 14-member task force to study and make recommendations regarding current and future concurrent enrollment needs of the state and pathways for awarding degrees and certificates through concurrent enrollment. Three members of the task force will be school district superintendents and must be appointed by the State Superintendent of Public Instruction within thirty days of the bill’s effective date. The task force must submit a report of its findings to the Governor, the President Pro Tempore of the Senate and the Speaker of the House by November 30, 2022 and then dissolve. Effective July 1, 2021.

[SB639](#) – Revises the Oklahoma Higher Learning Access Program (OHLAP) to include awards for postsecondary career and technology programs that have been identified as critical occupation areas, as identified by the Executive Director of the Oklahoma Department of Commerce in recurring annual reports. The State Regents for Higher Education, in consultation with the State Board of Career and Technology Education, must identify postsecondary vocational-technical programs that correlate to identified critical occupation areas. Additionally, beginning in the 2022-2023 academic year, students who receive an OHLAP award to participate in the program will have six years to complete the program or be required to repay the full amount. Effective July 1, 2021.

#### **Accountability, Assessments, Student Info**

[HB1104](#) – Requires schools to collect student tribal affiliation data alongside other demographic data collected as part of the “Student Data Accessibility, Transparency and Accountability Act of 2013”. Effective 90 days after Sine Die.

(New) [HB1715](#) – Repeals the requirement that students must pass the 8<sup>th</sup> grade English Language Arts (ELA) test to receive their driver’s permit. Effective upon its passage and approval.

[HB1875](#) – Prohibits an educational agency or institution that is not the primary custodian of student directory information of attending students from releasing or selling any student directory information unless otherwise allowed by the Family Educational Rights and Privacy Act (FERPA) or state statute. Effective November 1, 2021.

[HB2030](#) – Requires the Oklahoma subject matter standards for history, social studies, and U.S. Government to include the study of important historical documents, including the Constitution, Declaration of Independence, Emancipation Proclamation, and Federalist Papers; simulations of the democratic process; and lessons on the structure and relationship between the levels of government. Beginning with the class of 2021, students are required to earn a passing score of 60 out of 100 questions on the United States naturalization test to graduate high school. School districts must offer the test at least once per year. Students with disabilities who are assessed through the Oklahoma Alternate Assessment Program (OAAP) are exempt from the requirement. Effective November 1, 2021.

(New) [HB2381](#) – Requires school districts to conduct an annual fitness assessment for students in grades 3-12, as approved by the State Board of Education beginning with the 2022-2023 school year. Requires the State Board to adopt standards deemed appropriate to measure a student’s physical fitness and requires the Department of Education to adopt an assessment instrument that measures student aerobic capacity, body composition, muscular strength, endurance, and flexibility. Districts must provide overall results of the assessment to the Board and the results for individual students to the parent or guardian. Requires the Departments of Education and Health to analyze these performance results and look for correlations with other specified outcomes on a district basis and submit a report to the Governor. Effective 90 days after Sine Die.

(New) [SB419](#) – Allows a teacher to use a student’s highest score on the statewide U.S. history assessment in calculating the final grade of an applicable social studies, history or citizenship skills unit taken in the same year the assessment is administered, beginning in the 2021-2022 school year. Effective July 1, 2021.

(New) [SB503](#) – Requires the Oklahoma subject matter standards for history, social studies and U.S. government to include the Declaration of Independence, the U.S. Constitution including the Bill of Rights, substantive selections from the Federalist Papers, the Emancipation Proclamation, the Articles of Confederation, the Gettysburg Address, and George Washington’s Farewell Address. The statewide U.S. history assessment must include multiple questions containing fundamental principles of these historical documents. Effective July 1, 2021.

(New) [SB642](#) – Requires school districts to provide all students grades 10 through 12 an opportunity to take the Armed Services Vocational Aptitude Battery (ASVAB) Test and consult with a military recruiter beginning in the 2021-2022 school year. Effective July 1, 2021.

### **Certification, Retirement**

[HB1773](#) – Requires teacher candidates in early childhood, elementary, secondary, and special education, as part of their competency-based teacher preparation program, to study the background and implementation of multi-tiered systems of support (MTSS) designed to address the core academic and nonacademic needs of all students. Candidates will receive grade-appropriate training on applying MTSS in the areas of structured literacy, mathematics, classroom management, and trauma-informed instruction at a minimum. Effective November 1, 2021.

[HB1796](#) – Allows the State Board of Education, in consultation with the Commission for Education Quality and Accountability, to grant subject area examination exceptions for initial teacher certification in a field that does not require an advanced degree if the candidate already has an advanced degree in the subject substantially comparable to the content assessed in the examination. This exception currently only exists for alternatively certified teachers. Effective upon its passage and approval.

[HB2693](#) – Requires the Office of Educational Quality and Accountability (OEQA) to select up to 300 teachers seeking to renew their National Board Certification each year, and to pay for a portion of their renewal application fee not to exceed \$750. Requires OEQA, rather than the State Board of Education, to provide the \$5,000 annual bonus to teachers who attain National

Board certification, for the duration of certification. This reestablishes the National Board Certification bonus as it existed prior to being eliminated in 2013. Lastly, the National Board Certification category is eliminated from the teacher salary schedule. Effective November 1, 2021.

[HB2748](#) – Requires the State Board of Education to issue a one-year alternative teacher certificate, renewable for up to three years, to early childhood or elementary education candidates who declare their intention to earn standard certification within three years. Candidates may enter the classroom immediately as they work toward full certification provided they meet certain benchmarks each year which include completing credit hours and receiving instructional coaching in the areas of reading, classroom management, child development, and math instruction. Effective November 1, 2021.

(New) [HB2752](#) – Requires the State Department of Education, in coordination with the Commission for Educational Quality and Accountability (OEQA), to establish a micro-credential program for teachers and teaching candidates to earn microcredentials in science, technology, engineering and mathematics (STEM) endorsement areas including computer science, upon the completion of additional coursework. The Department and OEQA will convene a working group with “pertinent education stakeholders” to determine eligible uses for STEM microcredentials, including add-on endorsements for teachers in STEM endorsement areas such as computer science, and satisfying the requirements for the OSAT examination and professional development. Effective July 1, 2021.

[HB2329 / SB67](#) – Allows the State Board of Education to grant an exception to the requirements for all certification examinations to deaf teachers who are fluent in American Sign Language (ASL) and who will be teaching exclusively in settings requiring the use of ASL. Effective July 1, 2021.

(New) [SB13](#) – Requires a teacher whose certificate is suspended by the State Board of Education to be placed on suspension while proceedings for revocation or other action are pending before the Board. These actions do not preclude the initiation of due process procedures under the Teacher Due Process Act. Effective July 1, 2021.

(New) [SB51](#) – Removes the requirement for alternatively and traditionally certified teachers to pass the general education portions of competency examinations to become certified. Effective July 1, 2021.

(New) [SB229](#) – Allows the State Board of Education to renew a teacher’s emergency or provisional certificate for up to 5 years if the teacher maintains a district evaluation rating of “effective” or higher under the Teacher and Leader Effectiveness Evaluation System and satisfies the existing requirements for renewal of provisional certificates. Allows districts to employ such emergency or provisionally certified staff via temporary contracts beyond the current four-semester limit. Effective July 1, 2021.

### **Children, Families, Students**

[HB1002](#) – Eliminates the statute of limitations for civil action against individuals accused of childhood sexual abuse, while lengthening the same statute of limitations for corporate entities

and organizations to 30 years. The measure allows a five-year window for the filing of retroactive claims for childhood sexual abuse for those persons who were previously barred from filing due to the time limitation. The revival of a claim does not apply to any claim that has been litigated to finality; or to any written settlement agreement which has been entered into between the plaintiff and defendant. Effective November 1, 2021.

(New) [HB1882](#) – Creates the “Out-of-Schooltime Task Force”, directed to identify ways to increase and improve the number of quality, affordable out-of-school programs in the state and report findings to the Oklahoma Legislature and Governor by December 1, 2022. The State Superintendent of Public Instruction has a seat on the task force and two appointments. Effective November 1, 2021.

(New) [SB126](#) – Amends the Lindsey Nicole Henry Scholarship for Students with Disabilities Program by clarifying that participating private schools must prohibit discrimination on the basis of race, color and national origin. The scholarship program is expanded to include children placed in a guardianship or kinship foster home and the requirement that students spend the prior school year in attendance at a public school in this state before applying is removed. Effective July 1, 2021.

## **Curriculum**

(New) [HB1569](#) – Creates the Oklahoma Play to Learn Act, allowing early childhood educators to employ play-based learning techniques and school districts to provide related professional development. States school districts may not prohibit a teacher from using play-based learning in early childhood education. Effective upon its passage and approval.

(New) [HB2727](#) – Allows “Adulting 101” to be taught as an elective class in public schools subject to the availability of funding. Instruction may include information on various topics including cooking, automobile maintenance, applying and interviewing for jobs, basic financial skills, career pathways, and stress management and may be taught in grades 6-12. Schools may incorporate the curriculum into existing courses and partner with nonprofits, the career and technology system, or other programs approved by the State Department of Education. Lastly, the Department may develop rules to oversee these provisions. Effective November 1, 2021.

(New) [SB89](#) – Creates the Health Education Act, requiring that all PK-12 students receive instruction on the Oklahoma Health Academic Standards beginning in the 2023-2024 school year. Directs the Department to develop a micro-credential for teachers assigned the responsibility of teaching health education and to create professional development programs to help teachers provide health education instruction. Teachers providing stand-alone health education courses must be certified in physical or health education and the Department may issue 2-year provisional certificates in this area. Effective July 1, 2021.

[SB252](#) – Requires all public high schools to offer a minimum of one grade-appropriate computer science course to students each year. All public middle and elementary schools must offer instruction aligned to the Oklahoma Academic Standards for Computer Science, which may be offered through a stand-alone course or within an existing course. These requirements are to take effect beginning in the 2024-2025 school year. Starting June 30, 2025, each school district will

submit an annual report to OSDE regarding the computer science courses offered. Effective November 1, 2021.

[SB784](#) – Permits the Council on Law Enforcement Education and Training (CLEET) develop a statewide law enforcement and public safety youth program designed for high school students. Effective November 1, 2021.

### **Charter Schools**

(New) [HB2755](#) – Requires a sponsoring school district to provide any sponsored charter school(s) the opportunity to submit capital projects for inclusion in any bond proposal submitted by the district and ensure the value of the projects is proportional to the charter's enrollment. Any property purchased for the charter's capital projects will be owned by the issuing school district, unless the charter operates within the physical boundaries of the sponsor. Upon ceasing operations, the charter's bond-purchased property will default to the sponsoring school district. Effective November 1, 2021.

[SB239](#) – Requires the Department of Education to determine if it has the financial and personnel resources to support a new charter school before the State Board approves a charter school sponsorship upon appeal. Requires the Board to allow the applicant and denying school district sponsor to appear with an attorney at any hearing before the Board. If the Board determines that the applicant complied with all of the applicable requirements for approval by the local board, that there is demonstrable local community support, and the local board should have accepted the proposal, the Board may choose to sponsor the charter school. Establishes a formal timeline for appeals to the Board, requiring the applicant to file an appeal within 30 days of denial and the Board to hold a hearing for final determination within 60 days of receiving the appeal. Effective July 1, 2021.

### **Employment, Personnel, Compensation**

[HB1876](#) – Clarifies that personal information of current and former public employees including home addresses, home phone numbers, Social Security numbers, private email addresses and mobile numbers are not open to public inspection or disclosure, with the exception of public records created using a private email address or mobile phone. Effective November 1, 2021.

[SB121](#) – Requires local boards of education to adopt a policy allowing school employees who are lactating to take paid break time to maintain their milk supply and comfort. This break time may run concurrently with any break time already provided to the employee and the board must make a reasonable effort to provide a private, sanitary room for expressing milk or breastfeeding. Effective July 1, 2021.

[SB267](#) – Beginning July 1, 2021 a retired teacher may return as a classroom teacher with no earnings limitation provided they have been retired for at least one year and have not been employed at a school district during that time. The bill's provisions expire after three years. Effective 90 days after Sine Die.

[SB683](#) – Retroactively removes the requirement that full-time non-classified optional personnel be regularly employed for more than one year to participate in the Oklahoma Teachers



Retirement System (OTRS) from August 2, 1969 through the bill's effective date. Upon the effective date, current personnel who are regularly employed for at least 20 hours per week will have thirty days to opt out of the System or be enrolled automatically. The option for membership and the ensuing thirty-day opt out window will also apply to all eligible new hires. Effective 90 days after Sine Die.

(New) [SB807](#) – Requires that school support employees be entitled to pay for any time lost when a school district is closed due to an epidemic or order issued by an authorized health officer. Effective July 1, 2021.

[SB970](#) – Exempts any portion of any document or information provided to a state agency or entity for use in providing a license or certificate to an individual from being considered a “record” under the Oklahoma Open Records Act. Allows a public body to release personnel records at the body's sole discretion, provided, identifying information relating to the occupants of any residential structure and email addresses are redacted in addition to existing protections. Effective November 1, 2021.

### **Funding, Budget**

[HB1968](#) – Eliminates duplicative annual school expenditures report for Gifted and Talented (GT) programs that must be provided to OSDE by August 1. Effective upon its passage and approval.

[HB2078](#) – Revises the calculation of Oklahoma's school funding formula beginning with the 2022-2023 school year, requiring that Initial State Aid be allocated based on the weighted average daily membership (WADM) from the preceding school year rather than the higher of the prior two years. Requires that the mid-year adjustment be allocated based on either the WADM of the first nine weeks of the current school year, or the WADM of the preceding school year, whichever is higher, rather than the highest WADM of the current or prior two school years. Lastly, the allowable percentages of general fund carryover are increased from between three and eight percent, depending on the general fund collections of the district, and excess carryover penalties for fiscal years 2022 and 2023 are waived. The bill's provisions are contingent on the enactment of either H.B. 2074 or S.B. 783. Effective July 1, 2022.

(New) [HB2083](#) – Creates a five-year schedule to progressively reduce to zero Oklahoma taxable income for the calculation of corporate income tax for certain local and foreign corporations by 20 percent each year, beginning in January 2022. Outlines the Legislature's intent to make modifications to offset potential revenue losses and to ensure that revenues to the Education Reform Revolving (HB 1017) Fund, the Teachers' Retirement System, and the Ad Valorem Reimbursement Fund are not adversely affected. Estimated to decrease income tax collections by \$32.3 million and \$99.9 million in fiscal years 2022 and 2023 respectively. Effective January 1, 2022.

(New) [HB2776](#) – Creates the “Protecting Revenues for Oklahoma Teachers, Educators and Students (PROTEST) Fund” consisting of ad valorem funds under protest and monies from the Ad Valorem Reimbursement Fund. Directs the Department of Education to accept claims from school districts affected by protested ad valorem taxes and disburse funds to the local school board. Upon settlement and dispersal of protested ad valorem dollars, the receiving school board

must reimburse the Fund. For the fiscal year ending June 30, 2022, the first \$5 million in the Ad Valorem Reimbursement Fund will be apportioned to the PROTEST Fund, with subsequent annual appropriations to maintain a balance of \$5 million. Effective July 1, 2021.

### **Professional Development**

[HB1593](#) – Revises the frequency for certain professional development requirements including training on the importance of digital teaching and learning standards, recognizing and addressing the mental health needs of students, emphasizing the importance of incorporating workplace safety training into curriculum, and in-service training on alcohol and drug abuse. Each training program must be completed during a teacher’s first year of employment at a district and be retaken at specified intervals. Effective November 1, 2021.

[HB2749](#) – Requires school districts receiving more than \$2,500 in Reading Sufficiency Act (RSA) appropriations, to spend a minimum of 10% of those funds on professional development on the Science of Reading for pre-k through fifth grade teachers beginning in the 2022-2023 school year. The professional development must include training on the cognitive science of how students learn to read, and be selected from an approved list of evidence-based programs compiled by the State Department of Education prior to June 30, 2022. Effective 90 days after Sine Die.

### **School Boards**

(New) [HB1046](#) – Requires each school district to post a copy or hyperlink of the most recent financial audit on the front page of its website. Effective November 1, 2021.

[HB1775](#) – Expands the requirements for “Riley’s Rule”, requiring local school boards to coordinate with local emergency medical service providers in developing an Emergency Action Plan for each athletic practice, event or activity held at school district facilities. The plan must include contact, directory and map information for emergency medical services, a designated medical administrator, be provided to all school athletics and events staff, specify evaluation and debriefing procedures following an emergency, and be updated and rehearsed annually. Effective November 1, 2021.

[HB1963](#) – Requires the Governor to make a temporary appointment for a local school board should the board ever have insufficient membership to attain a quorum and conduct business. Effective November 1, 2021.

[HB2335](#) – Prohibits any government entity from mandating vaccination of the general public, other than vaccines already required for enrollment in schools as required by state law. Government entities, including state or local officials, any political subdivision, and any agency, board, commission, or council with rule-making authority, are prohibited from discriminating against or penalizing any member of the general public who declines to vaccinate themselves or their children. Effective November 1, 2021.

(New) [HB2588](#) – Allows local school boards to authorize school staff possessing a handgun license and having demonstrated proficiency in handgun and campus-specific active shooter training to carry a handgun on school property. To be eligible, an employee must successfully



complete four hours of weapon retention training certified by the Council on Law Enforcement Education and Training (CLEET) and four hours of campus-specific active shooter training as determined by the appropriate local law enforcement agency. The above training is to be conducted biannually. Effective July 1, 2021.

(New) [SB22](#) – Requires a local school board electing to dispose of real or personal property under lease to provide the right of first refusal to purchase the property to the current lessee. If the board receives an offer for the property, it must provide notice to the current lessee, allowing thirty days after receipt of the notice to inform the board whether the lessee will purchase the property on the same terms and conditions in the notice, provided any non-cash consideration may be paid in cash at fair market value. Effective July 1, 2021.

(New) [SB222](#) – Amends the definition of “bullying” to include behavior that is unwanted, aggressive, involves a power imbalance and is repeated. Requires local school boards to update existing discipline and bullying policies annually and specifies that policies contain a broader reporting structure for incidents of bullying, protections for anyone reporting bullying in good faith, required notification of parents of an identified bullying victim within twenty-four hours of an initial report, or immediately in instances where suicidal ideation is suspected. The policy must be developed with input from stakeholders and community members and the district must provide a report to the school board on bullying prevention activities and reported incidents each semester. Effective July 1, 2021.

(New) [SB403](#) – Makes it unlawful for any person(s) to interfere with or disrupt the business or public meetings of a political subdivision. Effective upon its passage and approval.

[SB619](#) – Permits the governing body of any school to obtain liability insurance coverage to protect a student who participates in an apprenticeship, internship or mentorship program. Prohibits schools from charging the student or parent for the cost of providing insurance. Requires the State Board of Education to review apprenticeships, internships and mentorships to determine if they are eligible for academic credit toward graduation. Effective July 1, 2021.

[SB658](#) – Requires the State Department of Education to provide and ensure every school district details the state’s vaccination requirements for enrollment, including the possibility for exemption, in addition to contact information for the State Department of Health, on the district’s website and any vaccine-related publication or notice. Effective July 1, 2021.

[SB1032](#) – Makes permanent additions to the Open Meetings Act requiring all public bodies that maintain a website and utilize a high-speed internet connection, to stream all meetings on the website and post meeting recordings after concluding, if such actions are practicable. Also authorizes any public body headquartered in a county subject to a declared state of emergency to meet via teleconference or videoconference, with all related requirements and exemptions applicable to public bodies statewide under the COVID-19 emergency. Effective upon its passage and approval.

### **School Sites**

[HB2074](#) / [SB783](#) – Enacts significant reforms to Oklahoma’s school transfer statutes, namely, revising the guidelines for accepting and denying student transfers, limiting students to a

maximum of two out-of-district transfers per school year, requiring school districts to list enrollment capacities on their websites and to report transfer approvals and denials to the State Department of Education, which must in turn post the information on its website and share it with OEQA. The bill creates a two-level appeal process for transfer denials, beginning with local school boards and ending with the State Board of Education. Lastly, the state's emergency transfer law is repealed. The bill's provisions are contingent on the enactment of H.B. 2078. The revised transfer provisions and requirements will take effect beginning on January 1, 2022. Effective upon its passage and approval.

[HB2662 / SB128](#) – Creates the Seizure-Safe Schools Act, requiring each school site with a student who is known to have a seizure disorder, to have at least one employee who has training to administer or assist with self-administration of seizure medication and recognize symptoms of seizures and take steps to respond by Jan. 1, 2022. The State Board of Education may develop rules to assist in the development and implementation of the program. Lastly, school employees who take actions in compliance with the act are exempt from disciplinary proceedings and will have immunity from civil liability. Effective upon its passage and approval.

[SB54](#) – Requires the State Department of Education to designate a school district or individual campus as a Purple Star Campus if the school or district applies for the designation and agrees to provide certain services benefiting military-connected students and their families, in addition to offering related professional development for staff. Effective November 1, 2021.

[SB1033](#) – Clarifies that a retail marijuana dispensary established on or after November 1, 2019 will not be in jeopardy of losing its license in the event that a school building came to be located within 1,000 feet of the dispensary at a later date. Effective November 1, 2021.

#### **State Board/Dept. of Education**

[HB1018](#) – Repeals the required publication and distribution of the biennial school laws book by the State Department of Education. Effective November 1, 2021.

[HB1090](#) – Permits the State Auditor and Inspector and the Auditor's Performance Audit Division, to examine books and accounts of public officers and other governmental entities independent of a request by the Governor, a government entity's CEO, or a concurrent resolution of the Legislature. Effective July 1, 2021.

[HB2223](#) – Requires the State Department of Education to maintain the dyslexia handbook created by the Dyslexia and Education Taskforce by making revisions and additions as recommended by stakeholders every three years. The Department must consult with each member of the original task force, if available, during the revision process. Any revisions must include, but are not limited to, specified criteria for assisting school districts in screening for dyslexia and educating students who have dyslexia. Effective November 1, 2021.

[HB2462](#) – Reauthorizes the State Department of Education to enter into contracts and agreements for expenses necessary to host, or participate in, conferences or training sessions. Enables the Department to create accounts for the collection and distribution of funds from sponsors or registration fees related to conferences and training sessions. Effective upon its passage and approval.

[HB2932](#) – Prohibits any agency or other entity organized within the executive branch from using federal funds from the Coronavirus Aid, Relief, and Economic Security (CARES) Act in a way that will, or will be likely to increase the demand for state-appropriated funds without the express authorization of the state Legislature, beginning in the fiscal year ending June 30, 2021, and every following fiscal year. These requirements also apply to any federal funds allocated by an act of Congress or federal agency rules authorized by the federal government on or after December 1, 2020. Effective upon its passage and approval.

(New) [SB585](#) – Expands the definition of willful or habitual neglect of duty, for which a state officer may be removed from office to include knowingly giving false testimony to a legislative committee, knowingly engaging in operations beyond the constitutional or statutory authority delegated to the officer's agency, or repeatedly refusing to provide information to a legislative committee or legislator in a timely manner. For the purposes of the bill, "timely manner" means no more than fifteen (15) business days from the date the request for information was received, unless extended by written agreement. Effective November 1, 2021.

(New) [SB895](#) – Authorizes the director of a state agency to choose a public or certified public accountant, selected according to existing procedures, to conduct regular audits in lieu of the State Auditor and Inspector. The agency director may ask the State Auditor for a cost estimate of the audit to help in the selection process and must notify the State Auditor of the decision to use the alternative audit procedure. Any alternative audit report must be submitted to OMES by October 15 for the Comprehensive Annual Financial Report. Effective November 1, 2021.

(New) [SB913](#) – Enacts comprehensive reforms to the Administrative Procedures Act, namely, by changing the mechanisms for the approval, disapproval, and repeal of administrative rules, and creating the Joint Committee on Administrative Rules. Requires agencies to submit all rule proposals to the Committee for approval prior to the rules being eligible for final approval by the Legislature, which is no longer required to approve all rules in a single Joint Resolution. Additionally, agencies must submit proposed changes to the Governor and the appropriate cabinet secretary as part of providing official notice and may not proceed with any rule change upon express written disapproval by the Governor or secretary within 30 days of the notice. Lastly, a procedure for expedited repeal of rules is created, allowing agencies to submit a request for repeal to the President Pro Tempore and Speaker of the House, who may refer the request to the Joint Committee on Administrative Rules for consideration. Effective September 1, 2021.

### **Trauma-Informed/Mental Health**

[HB1027](#) – Requires the State Board of Education and Department of Mental Health and Substance Abuse Services (ODMHSAS), in consultation with school superintendents, to develop and offer training for school employees on violence de-escalation, in addition to existing training addressing student mental health. The training will include information concerning trauma-informed teaching, self-regulation practices for students and staff, and trauma-informed response protocols for addressing behavior with a positive and compassionate approach. Effective November 1, 2021.

[HB1103](#) – Requires public schools to administer the Oklahoma Prevention Needs Assessment (OPNA) survey every two years beginning in the 2022-2023 school year, for the purpose of

improving student mental health and substance abuse outcomes. Requires ODMHSAS to assist in administering the survey, maintain all collected data, and develop a waiver process allowing schools to administer an alternate assessment to meet the requirement. Effective November 1, 2021.

(New) [HB1568](#) – Creates Maria’s Law, requiring the State Board of Education to mandate that all schools provide instruction in mental health, emphasizing the interrelation between physical and mental well-being, beginning with the 2022-2023 school year. Requires the Board to collaborate with ODMHSAS to adopt and approve age-appropriate curriculum for students in grades K-12, with the related standards and curriculum to be posted on the State Department of Education website. Additionally, local school districts may enter inter agreements with nonprofits and other community partners to provide this education to students. Directs the Board to develop rules to implement the provisions. Effective November 1, 2021.

(New) [HB2388](#) – Allows school districts to provide age-appropriate instruction on social-emotional learning, beginning with the 2022-2023 school year. “Social emotional learning” is defined as the process through which children and adults manage emotions, set and achieve positive goals, feel and show empathy, maintain positive relationships, and make responsible decisions. The State Department of Education may create or offer accurate instructional materials on social-emotional learning on the Department’s website, with districts retaining the right to create or implement their own instructional materials. Effective November 1, 2021.

[HB2396](#) – Permits local school boards to adopt a policy regarding sex trafficking awareness and education programs, provide prevention and awareness education to staff, parents, and students in grades 7-12, partner with nonprofits specializing in this area, and offer a two-hour sex trafficking prevention and awareness program to students, beginning with the 2022-2023 school year. Effective November 1, 2021.

[SB21](#) – Requires, rather than permits, local boards of education to adopt a policy regarding district-wide suicide awareness training for staff and reporting student drug abuse, beginning in the 2021-2022 school year. Districts may provide suicide awareness training to students grade 7-12 beginning in the 2022-2023 school year. Effective July 1, 2021.

### **Failed Deadline**

[HB1836](#) – Requires the State Department of Education (OSDE) to develop a system for coding initial teacher certifications, including emergency certification, to allow for reporting data on initial certification pathways, and creates the Data Governance Council to monitor, evaluate, and make recommendations regarding the state’s certification pathways based on OSDE reports. The Council will be composed of numerous education agency directors or their designees, including the State Superintendent of Public Instruction, Chancellor of the Oklahoma State Regents for Higher Education, Executive Director of the Office of Educational Quality and Accountability, among other education stakeholders. Effective November 1, 2021.

[HB2361](#) – Adds habitual absence from minimum required training events to the list of causes for which an appointed state officer may be removed from office. Requires removal from office to follow the procedures established for removing elected and unelected officials, impaneling a

grand jury to indict a public official, or removing a political subdivision officer by order of the Attorney General and the Oklahoma Supreme Court. Effective November 1, 2021.

[HB2655](#) – Requires that general elections for members of local school and technology center boards of education to be conducted beginning the first Tuesday of November 2022, and on the general election date every two years thereafter. Elected members serving a term on Nov. 1, 2022, will be re-elected on Nov. 1, 2022 and those whose terms expire before the next succeeding general election will be elected. Effective November 1, 2021.

[SB142](#) – Permits a local board of education to accept students from a bordering, out-of-state district without charging tuition if the school district does not receive State Aid funds and has a per-pupil expenditure above the state average. Such out-of-state students will be ineligible for State Aid, and no local funds from the student's out-of-state resident district may be transferred to the receiving district. Effective July 1, 2021.

[SB157](#) – Repeals language stating that appointed members of the State Board of Education shall serve at the pleasure of the Governor and provides a list of eligible causes for a member's removal by the Governor. Effective July 1, 2021.

[SB197](#) – Requires school and technology board member candidates who receive over 50% of the vote to be seated at the next board meeting following the April primary election. Effective July 1, 2021.

[SB437](#) – Requires, rather than permits, school districts to provide remediation courses to high school students who score below the benchmarks on subject-area portions of the ACT or below equivalent scores on the SAT, beginning in the 2021-22 school year. States that provided remediation may include extended instructional time, summer academies, tutoring, online coursework, repetition of any course that corresponds to a subject area in which the student scored below the benchmark, and other supplementary services. The State Board of Education may adopt rules to implement these changes. Effective July 1, 2021.

[SB670](#) – Designates the purchase or possession of methamphetamine, heroin, cocaine or fentanyl within 1,000 feet of a school as a felony, punishable by up to five years in prison. These provisions will not apply to any person who is younger than eighteen years old, is enrolled as a full-time student at the school in question, or who was requested to enter the prohibited distance as part of a routine traffic stop. Effective November 1, 2021.

[SB707](#) – Allows parents thirty days after the first day of the school year to provide certification that a child received required immunization treatments or a certificate of exemption. If the parent does not present either certificate within the 30-day period, the child will not be admitted into the school until the parent or legal guardian provides the required documents. Effective July 1, 2021.

[SB749](#) – Creates a recurring annual fee of \$1.00 per kilowatt of total nameplate generating capacity for commercial wind equipment beginning January 1, 2022, with all related fees and penalty interest to be deposited in the State Department of Education's Education Reform Revolving (1017) Fund. The fee is estimated to generate \$8,749,600 for the 1017 Fund in Fiscal Year 2022. Effective November 1, 2021.