

1 ENGROSSED SENATE
2 BILL NO. 553

By: Pugh and Thompson of the
Senate

3 and

4 Sterling of the House
5
6

7 An Act relating to schools; amending 70 O.S. 2021,
8 Section 3-104, as last amended by Section 2, Chapter
9 445, O.S.L. 2024 (70 O.S. Supp. 2024, Section 3-104),
10 which relates to the powers and duties of the State
11 Board of Education; adding reason for which a
12 certificate cannot be issued or can be revoked;
13 amending 70 O.S. 2021, Section 3-104.1, which relates
14 to a prohibition on certification of individuals
15 convicted of certain offenses; adding reason for
16 which a certificate cannot be issued; amending 70
17 O.S. 2021, Section 5-142, which relates to criminal
18 history record checks for school employment;
19 requiring certain letter to include certain
20 information; amending 70 O.S. 2021, Section 6-101.22,
21 which relates to reasons for dismissal of career
22 teachers; adding reason for dismissal; amending 70
23 O.S. 2021, Section 6-194, as last amended by Section
24 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.

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

2 SECTION 1. AMENDATORY 70 O.S. 2021, Section 3-104, as
3 last amended by Section 2, Chapter 445, O.S.L. 2024 (70 O.S. Supp.
4 2024, Section 3-104), is amended to read as follows:

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

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

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

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

23 a. State Aid to schools,
24

- 1 b. the supervision of all other functions of general and
2 special education including general control, free
3 textbooks, school lunch, Indian education, and all
4 other functions of the Board and an amount sufficient
5 to adequately staff and administer these services, and
6 c. the Board shall determine the details by which the
7 budget and the appropriations are administered.
8 Annually, the Board shall make preparations to
9 consolidate all of the functions of the Department in
10 such a way that the budget can be based on two items,
11 administration and aid to schools. A maximum amount
12 for administration shall be designated as a part of
13 the total appropriation;

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

- 19 a. detailed statistics and other information concerning
20 enrollment, attendance, expenditures including State
21 Aid, and other pertinent data for all public schools
22 in this state,
23 b. reports from each and every division within the State
24 Department of Education as submitted by the

1 Superintendent of Public Instruction and any other
2 division, department, institution, or other agency
3 under the supervision of the Board,

4 c. recommendations for the improvement of the public
5 school system of the state,

6 d. a statement of the receipts and expenditures of the
7 State Board of Education for the past year, and

8 e. a statement of plans and recommendations for the
9 management and improvement of public schools and such
10 other information relating to the educational
11 interests of the state as may be deemed necessary and
12 desirable;

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

16 6. Have authority in matters pertaining to the licensure and
17 certification of persons for instructional, supervisory, and
18 administrative positions and services in the public schools of the
19 state subject to the provisions of Section 6-184 of this title, and
20 shall formulate rules governing the issuance and revocation of
21 certificates for superintendents of schools, principals,
22 supervisors, librarians, clerical employees, school nurses, school
23 bus drivers, visiting teachers, classroom teachers, and for other
24 personnel performing instructional, administrative, and supervisory

1 services, but not including members of boards of education and other
2 employees who do not work directly with pupils, and may charge and
3 collect reasonable fees for the issuance of such certificates:

- 4 a. the State Department of Education shall not issue a
5 certificate to and shall revoke the certificate of any
6 person who has been convicted, whether upon a verdict
7 or plea of guilty or upon a plea of nolo contendere,
8 or received a suspended sentence or any probationary
9 term for a crime or an attempt to commit a crime
10 provided for in Section 843.5 of Title 21 of the
11 Oklahoma Statutes if the offense involved sexual abuse
12 or sexual exploitation as those terms are defined in
13 Section 1-1-105 of Title 10A of the Oklahoma Statutes,
14 Section 741, 843.1, if the offense included sexual
15 abuse or sexual exploitation, 865 et seq., 885, 888,
16 891, 1021, 1021.2, 1021.3, 1040.13a, 1087, 1088,
17 1111.1, 1114, or 1123 of Title 21 of the Oklahoma
18 Statutes or who enters this state and who has been
19 convicted, received a suspended sentence, or received
20 a deferred judgment for a crime or attempted crime
21 which, if committed or attempted in this state, would
22 be a crime or an attempt to commit a crime provided
23 for in any of the laws, and

1 b. the State Department of Education shall not issue a
2 certificate to and shall revoke the certificate of any
3 person who has been convicted, whether upon a verdict
4 or plea of guilty or upon a plea of nolo contendere,
5 or received a suspended sentence or any probationary
6 term for knowingly and willfully failing to report
7 suspected abuse or neglect of a child in violation of
8 Section 1-2-101 of Title 10A of the Oklahoma Statutes,
9 and

10 c. all funds collected by the State Department of
11 Education for the issuance of certificates to
12 instructional, supervisory, and administrative
13 personnel in the public schools of the state shall be
14 deposited in the "Teachers' Certification Fund" in the
15 State Treasury and may be expended by the State Board
16 of Education to finance the activities of the State
17 Department of Education necessary to administer the
18 program, for consultative services, publication costs,
19 actual and necessary travel expenses as provided in
20 the State Travel Reimbursement Act incurred by persons
21 performing research work, and other expenses found
22 necessary by the State Board of Education for the
23 improvement of the preparation and certification of
24 teachers in this state. Provided, any unobligated

1 balance in the Teachers' Certification Fund in excess
2 of Ten Thousand Dollars (\$10,000.00) on June 30 of any
3 fiscal year shall be transferred to the General
4 Revenue Fund of this state. Until July 1, 1997, the
5 State Board of Education shall have authority for
6 approval of teacher education programs. The State
7 Board of Education shall also have authority for the
8 administration of teacher residency and professional
9 development, subject to the provisions of the Oklahoma
10 Teacher Preparation Act;

11 7. Promulgate rules governing the classification, inspection,
12 supervision, and accrediting of all public nursery, kindergarten,
13 elementary and secondary schools, and on-site educational services
14 provided by public school districts or state-accredited private
15 schools in partial hospitalization programs, day treatment programs,
16 and day hospital programs as defined in ~~this section~~, Section 3-
17 104.7 of this title, and Section ~~603.4~~ 175.20 of Title 10 of the
18 Oklahoma Statutes for persons between the ages of three (3) and
19 twenty-one (21) years of age in the state. However, no school shall
20 be denied accreditation solely on the basis of average daily
21 attendance.

22 Any school district which maintains an elementary school and
23 faces the necessity of relocating its school facilities because of
24 construction of a lake, either by state or federal authority, which

1 will inundate the school facilities, shall be entitled to receive
2 probationary accreditation from the State Board of Education for a
3 period of five (5) years after June 12, 1975, and any school
4 district, otherwise qualified, shall be entitled to receive
5 probationary accreditation from the State Board of Education for a
6 period of two (2) consecutive years to attain the minimum average
7 daily attendance. The Head Start and public nurseries or
8 kindergartens operated from community action agency funds shall not
9 be subjected to the accrediting rules of the State Board of
10 Education. Neither will the State Board of Education make rules
11 affecting the operation of the public nurseries and kindergartens
12 operated from federal funds secured through community action
13 agencies even though they may be operating in the public schools of
14 the state. However, any of the Head Start or public nurseries or
15 kindergartens operated under federal regulations may make
16 application for accrediting from the State Board of Education but
17 will be accredited only if application for the approval of the
18 programs is made. The status of no school district shall be changed
19 which will reduce it to a lower classification until due notice has
20 been given to the proper authorities thereof and an opportunity
21 given to correct the conditions which otherwise would be the cause
22 of such reduction.

23 Private and parochial schools may be accredited and classified
24 in like manner as public schools or, if an accrediting association

1 is approved by the State Board of Education, by procedures
2 established by the State Board of Education to accept accreditation
3 by such accrediting association, if application is made to the State
4 Board of Education for such accrediting;

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

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

18 10. Be and is hereby designated as the ~~"State Educational~~
19 ~~Agency"~~ state educational agency referred to in Public Law 396 of
20 the 79th Congress of the United States, as amended, which ~~law states~~
21 ~~that the act may be cited known~~ as the ~~"National~~ Richard B. Russell
22 National School Lunch Act ~~Act~~, and the State Board of Education is
23 hereby authorized and directed to accept the terms and provisions of
24 the act and to enter into such agreements, not in conflict with the

1 Constitution of Oklahoma or the Constitution and Statutes of the
2 United States, as may be necessary or appropriate to secure for this
3 state the benefits of the school lunch program established and
4 referred to in the act;

5 11. Have authority to secure and administer the benefits of the
6 Richard B. Russell National School Lunch Act, Public Law 396 of the
7 79th Congress of the United States, as amended, in this state and is
8 hereby authorized to employ or appoint and fix the compensation of
9 such additional officers or employees and to incur such expenses as
10 may be necessary for the accomplishment of the above purpose, and
11 administer the distribution of any state funds appropriated by the
12 Legislature required as federal matching to reimburse on children's
13 meals;

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

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

1 until such required reports have been filed and accepted in the
2 office of the Board and to revoke the certificates of persons
3 failing or refusing to make such reports;

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

19 15. Prescribe all forms for school district and county officers
20 to report to the State Board of Education where required. The State
21 Board of Education shall also prescribe a list of appropriation
22 accounts by which the funds of school districts shall be budgeted,
23 accounted for, and expended; and it shall be the duty of the State
24

1 Auditor and Inspector in prescribing all budgeting, accounting, and
2 reporting forms for school funds to conform to such lists;

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

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

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

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

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

18 21. Administer the State Public Common School Building
19 Equalization Fund established by Section 32 of Article X of the
20 Oklahoma Constitution. Any monies as may be appropriated or
21 designated by the Legislature, other than ad valorem taxes, any
22 other funds identified by the State Department of Education, which
23 may include, but not be limited to, grants-in-aid from the federal
24 government for building purposes, the proceeds of all property that

1 shall fall to the state by escheat, penalties for unlawful holding
2 of real estate by corporations, and capital gains on assets of the
3 permanent school funds, shall be deposited in the State Public
4 Common School Building Equalization Fund. The fund shall be used to
5 aid school districts and charter schools in acquiring buildings,
6 subject to the limitations fixed by Section 32 of Article X of the
7 Oklahoma Constitution. It is hereby declared that redbud school
8 grants disbursed from the State Public Common School Building
9 Equalization Fund shall be used for the same purposes as a building
10 fund, as provided for in Section 1-118 of this title. It is hereby
11 declared that the term "school districts" as used in Section 32 of
12 Article X of the Oklahoma Constitution shall mean school districts
13 and eligible charter schools as defined in subsection B of this
14 section. The State Board of Education shall disburse redbud school
15 grants annually from the State Public Common School Building
16 Equalization Fund to public schools and eligible charter schools
17 pursuant to subsection B of this section. The Board shall
18 promulgate rules for the implementation of disbursing redbud school
19 grants pursuant to this section. The State Board of Education shall
20 prescribe rules for making grants of aid from, and for otherwise
21 administering, the fund pursuant to the provisions of this
22 paragraph, and may employ and fix the duties and compensation of
23 technicians, aides, clerks, stenographers, attorneys, and other
24 personnel deemed necessary to carry out the provisions of this

1 paragraph. The cost of administering the fund shall be paid from
2 monies appropriated to the State Board of Education for the
3 operation of the State Department of Education. From monies
4 apportioned to the fund, the State Department of Education may
5 reserve not more than one-half of one percent (1/2 of 1%) for
6 purposes of administering the fund;

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

15 23. Have authority to administer a revolving fund which is
16 hereby created in the State Treasury, to be designated the
17 "Statistical Services Revolving Fund". The fund shall consist of
18 all monies received from the various school districts of the state,
19 the United States Government, and other sources for the purpose of
20 furnishing or financing statistical services and for any other
21 purpose as designated by the Legislature. The State Board of
22 Education is hereby authorized to enter into agreements with school
23 districts, municipalities, the United States Government,
24 foundations, and other agencies or individuals for services,

1 programs, or research projects. The Statistical Services Revolving
2 Fund shall be administered in accordance with Section 155 of Title
3 62 of the Oklahoma Statutes.

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

- 6 a. divide the county four-mill levy revenue by four to
7 determine the nonchargeable county four-mill revenue
8 for each school district,
- 9 b. determine the amount of new revenue generated by the
10 five-mill building fund levy as authorized by Section
11 10 of Article X of the Oklahoma Constitution for each
12 school district as reported in the Oklahoma Cost
13 Accounting System for the preceding fiscal year,
- 14 c. add the amounts calculated in subparagraphs a and b of
15 this paragraph to determine the nonchargeable millage
16 for each school district,
- 17 d. add the nonchargeable millage in each district
18 statewide as calculated in subparagraph c of this
19 paragraph and divide the total by the average daily
20 membership in public schools statewide based on the
21 preceding school year's average daily membership,
22 according to the provisions of Section 18-107 of this
23 title. This amount is the statewide nonchargeable

1 millage per student, known as the baseline local
2 funding per student,

3 e. all eligible charter schools shall be included in
4 these calculations as unique school districts,
5 separate from the school district that may sponsor the
6 eligible charter school, and the total number of
7 districts shall be used to determine the statewide
8 average baseline local funding per student,

9 f. for each school district or eligible charter school
10 which is below the baseline local funding per student,
11 the Department shall subtract the baseline local
12 funding per student from the average nonchargeable
13 millage per student of the school district or eligible
14 charter school to determine the nonchargeable millage
15 per student shortfall for each district, and

16 g. the nonchargeable millage per student shortfall for a
17 school district or eligible charter school shall be
18 multiplied by the average daily membership of the
19 preceding school year of the eligible school district
20 or eligible charter school. This amount shall be the
21 redbud school grant amount for the school district or
22 eligible charter school.

23 2. For fiscal year 2022, monies for the redbud school grants
24 shall be expended from the funds apportioned pursuant to Section 426

1 of Title 63 of the Oklahoma Statutes. For fiscal year 2023 and each
2 subsequent fiscal year, monies for the redbud school grants shall be
3 appropriated pursuant to Section 426 of Title 63 of the Oklahoma
4 Statutes, not to exceed three-fourths (3/4) of the tax collected in
5 the preceding fiscal year pursuant to Section 426 of Title 63 of the
6 Oklahoma Statutes as determined by the Oklahoma Tax Commission. For
7 fiscal year 2023 and each subsequent fiscal year, if such
8 appropriated funds are insufficient to fund the redbud school
9 grants, then an additional apportionment of funds shall be made from
10 sales tax collections as provided by subsection D of Section 1353 of
11 Title 68 of the Oklahoma Statutes. If both funds are insufficient,
12 the Department shall promulgate rules to permit a decrease to the
13 baseline local funding per student to the highest amount allowed
14 with the funding available.

15 3. As used in this section, "eligible charter school" shall
16 mean a charter school which is sponsored pursuant to the provisions
17 of the Oklahoma Charter Schools Act. Provided, however, eligible
18 charter school shall not include a statewide virtual charter school
19 sponsored by the Statewide Charter School Board but shall only
20 include those which provide in-person or blended instruction, as
21 provided by Section 1-111 of this title, to not less than two-thirds
22 (2/3) of students as the primary means of instructional service
23 delivery.

24

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

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

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

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

16 Section 3-104.1. No person shall receive a certificate for an
17 instructional, supervisory, or administrative position in an
18 accredited school of this state who has been convicted of a felony,
19 any crime involving moral turpitude, knowingly and willfully failing
20 to report suspected abuse or neglect of a child in violation of
21 Section 1-2-101 of Title 10A of the Oklahoma Statutes, or a felony
22 violation of the narcotic laws of the United States or ~~the State of~~
23 ~~Oklahoma~~ this state, provided the conviction was entered within the
24 preceding ten-year period.

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

3 Section 5-142. A. Except as otherwise provided for in
4 subsection F of this section, for purposes of employment, a board of
5 education may request in writing to the State Board of Education
6 that a national criminal history record check be conducted of any
7 employee of the school and shall request such information for any
8 person seeking employment with the school; provided, that a board of
9 education shall not be required to obtain a new criminal history
10 record check for an individual who has obtained certification from
11 the State Department of Education within the previous twelve (12)
12 months. The Oklahoma State Bureau of Investigation (OSBI) shall
13 obtain fingerprints of the employee or prospective employee and
14 require that the person pay a search fee not to exceed Fifty Dollars
15 (\$50.00) or the cost of the search, whichever is the lesser amount.
16 The fee shall be deposited in the OSBI Revolving Fund. School
17 districts may reimburse employees for the cost of the search. The
18 State Board of Education shall contact the ~~Oklahoma State Bureau of~~
19 ~~Investigation~~ OSBI for any national criminal history record of the
20 person within fourteen (14) working days of receiving a written
21 request from the board of education.

22 B. The Oklahoma State Bureau of Investigation shall provide the
23 national criminal history record check requested by the State Board
24 of Education within fourteen (14) working days from the receipt of

1 the request. The Bureau may contact the Federal Bureau of
2 Investigation to obtain the information requested.

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

10 D. For the purpose of this section:

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

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

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

18 4. "National criminal history record check" means a national
19 criminal history record check as defined in Section 150.9 of Title
20 74 of the Oklahoma Statutes; and

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

24

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

19 F. 1. Any person who has been employed as a full-time teacher
20 by a school district in this state and applies for employment as a
21 full-time teacher in ~~another~~ a school district in this state may not
22 be required to have a national criminal history record check if the
23 teacher produces a copy of a national criminal history record check
24 completed within the preceding five (5) years and a letter from the

1 school district in which the teacher was employed stating the
2 teacher left in good standing and whether the teacher was the
3 subject of any allegation of inappropriate behavior with a student.

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

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

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

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

21 G. 1. Except as otherwise provided by this subsection, any
22 teacher employed by an Oklahoma school district prior to ~~the~~
23 ~~effective date of this act~~ May 19, 2020, who does not have an
24 Oklahoma criminal history record check from the Oklahoma State

1 Bureau of Investigation as well as a national criminal history
2 record check, as defined in Section 150.9 of Title 74 of the
3 Oklahoma Statutes, on file with his or her employing district as
4 required by this section shall complete the criminal history record
5 checks upon the next renewal of his or her ~~Standard Teaching~~
6 ~~Certificate~~ standard teaching certificate as required by Section 6-
7 154.1 of this title or State Board of Education administrative rules
8 promulgated thereto.

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

18 3. Any teacher eligible to retire from the Teachers' Retirement
19 System of Oklahoma who does not have an Oklahoma criminal history
20 record check from the Oklahoma State Bureau of Investigation as well
21 as a national criminal history record check, as defined in Section
22 150.9 of Title 74 of the Oklahoma Statutes, on file with his or her
23 employing district as required by this section shall complete the
24

1 criminal history record checks by the earlier of the following
2 dates:

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

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

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

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

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

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

- 24 1. Willful neglect of duty;

1 2. Repeated negligence in performance of duty;

2 3. Mental or physical abuse to a child;

3 4. Knowing and willful failure to report suspected child abuse
4 or neglect;

5 5. Incompetency;

6 ~~5.~~ 6. Instructional ineffectiveness;

7 ~~6.~~ 7. Unsatisfactory teaching performance;

8 ~~7.~~ 8. Commission of an act of moral turpitude; or

9 ~~8.~~ 9. Abandonment of contract.

10 B. Subject to the provisions of the Teacher Due Process Act of
11 1990, a probationary teacher may be dismissed or not reemployed for
12 cause.

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

14 1. A career teacher who has received a district evaluation
15 rating of "ineffective" as measured pursuant to the Oklahoma Teacher
16 and Leader Effectiveness Evaluation System (TLE) for two (2)
17 consecutive school years shall be dismissed or not reemployed on the
18 grounds of instructional ineffectiveness by the school district,
19 subject to the provisions of the Teacher Due Process Act of 1990.

20 However, the superintendent may recommend and the school district
21 board of education may approve continued employment of the teacher;
22 and

23 2. A career teacher who has received a district evaluation
24 rating of "needs improvement" or lower as measured pursuant to the

1 TLE for three (3) consecutive school years may be dismissed or not
2 reemployed on the grounds of instructional ineffectiveness by the
3 school district, subject to the provisions of the Teacher Due
4 Process Act of 1990.

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

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

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

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

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

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

1 3. Any felony offense.

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

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

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

17 SECTION 5. AMENDATORY 70 O.S. 2021, Section 6-194, as
18 last amended by Section 2, Chapter 15, O.S.L. 2023 (70 O.S. Supp.
19 2024, Section 6-194), is amended to read as follows:

20 Section 6-194. A. The district boards of education of this
21 state shall establish professional development programs for the
22 certified teachers and administrators of the district. Programs
23 shall be adopted by each board based upon recommendations of a
24

1 professional development committee appointed by the board of
2 education for the district.

3 B. Each professional development committee shall include
4 classroom teachers, administrators, school counselors or licensed
5 mental health providers, and parents, guardians, or custodians of
6 children in the school district and shall consult with a higher
7 education faculty. A majority of the members of the professional
8 development committee shall be composed of classroom teachers. The
9 teacher members shall be selected by a designated administrator of
10 the school district from a list of names submitted by the teachers
11 in the school district. The members selected shall be subject to
12 the approval of a majority vote of the teachers in the district.

13 C. In developing program recommendations, each professional
14 development committee shall annually utilize a data-driven approach
15 to analyze student data and determine district and school
16 professional development needs. The professional development
17 programs adopted shall be directed toward development of
18 competencies and instructional strategies in the core curriculum
19 areas for the following goals:

- 20 1. Increasing the academic performance data scores for the
21 district and each school site;
- 22 2. Closing achievement gaps among student subgroups;
- 23 3. Increasing student achievement as demonstrated on state-
24 mandated tests and the ACT;

1 4. Increasing high school graduation rates; and

2 5. Decreasing college remediation rates.

3 Each program may also include components on classroom management
4 and student discipline strategies, outreach to parents, guardians,
5 or custodians of students, special education, and racial and ethnic
6 education, which all personnel defined as teachers in Section 1-116
7 of this title shall be required to complete at a frequency as
8 determined by the board of education. The State Board of Education
9 shall provide guidelines to assist school districts in developing
10 and implementing racial and ethnic education components into
11 professional development programs.

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

15 1. Training on recognition of child abuse and neglect;

16 2. Recognition of child sexual abuse;

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

21 4. Available resources.

22 E. One time per year, beginning in the 2009-2010 school year,
23 training in the area of autism shall be offered and all resident
24 teachers of students in early childhood programs through grade three

1 shall be required to complete the autism training during the
2 resident year and at least one time every three (3) years
3 thereafter. All other teachers and education support professionals
4 of students in early childhood programs through grade three shall be
5 required to complete the autism training at least one time every
6 three (3) years. The autism training shall include a minimum
7 awareness of the characteristics of autistic children, resources
8 available and an introduction to positive behavior supports to
9 challenging behavior. Each adopted program shall allow school
10 counselors to receive at least one-third (1/3) of the hours or
11 credit required each year through programs or courses specifically
12 designed for school counselors.

13 Districts are authorized to utilize any means for professional
14 development that is not prohibited by law including, but not limited
15 to, professional development provided by the district, any state
16 agency, institution of higher education, or any private entity.

17 F. One time per year, beginning in the 2020-2021 school year, a
18 dyslexia awareness program shall be offered. Beginning in the 2023-
19 2024 school year, the program shall include information and training
20 in dysgraphia. At a minimum, the program shall include:

21 1. Training in awareness of dyslexia characteristics in
22 students;

23 2. Training in effective classroom instruction to meet the
24 needs of students with dyslexia; and

1 3. Available dyslexia resources for teachers, students and
2 parents.

3 G. Except as otherwise provided for in this subsection, each
4 certified teacher in this state shall be required by the district
5 board of education to meet the professional development requirements
6 established by the board, or established through the negotiation
7 process. Except as otherwise provided for in this subsection, the
8 professional development requirements established by each board of
9 education shall require every teacher to annually complete a minimum
10 number of the total number of points required to maintain
11 employment; provided, no more than a total of one hundred fifty
12 (150) hours of local, state, or federal professional development or
13 training shall be required for classroom teachers during any five-
14 year period. Failure of any teacher to meet district board of
15 education professional development requirements may be grounds for
16 nonrenewal of such teacher's contract by the board. Such failure
17 may also be grounds for nonconsideration of salary increments
18 affecting the teacher. Teachers shall maintain written
19 documentation of all their completed professional development.

20 H. Each district shall annually submit a report to the State
21 Department of Education on the district level professional
22 development needs, activities completed, expenditures, and results
23 achieved for each school year by each goal as provided in subsection
24 C of this section. If a school district elects not to adopt and

1 offer a professional development program as provided for in
2 subsection A of this section, the district shall not be required to
3 submit an annual report as required pursuant to this subsection but
4 shall report to the State Department of Education its election not
5 to offer a program and all professional development activities
6 completed by teachers and administrators of the school district.

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

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

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

23 B. Every school employee having reason to believe that a
24 student age eighteen (18) years or older is a victim of abuse or

1 neglect shall report the matter immediately to local law
2 enforcement.

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

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

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

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

19 2. Sexual abuse or sexual exploitation as defined in Section 1-
20 1-105 of Title 10A of the Oklahoma Statutes;

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

23 4. Trafficking in children, ~~as~~ as defined in Section 866 of Title
24 21 of the Oklahoma Statutes;

1 5. Incest, as described in Section 885 of Title 21 of the
2 Oklahoma Statutes;

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

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

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

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

16 10. Permitting or consenting to the participation of a minor
17 child in any child sexual abuse material, as described in Section
18 1021.3 of Title 21 of the Oklahoma Statutes;

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

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

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

4 14. Rape or rape by instrumentation, as described in Sections
5 1111.1 and 1114 of Title 21 of the Oklahoma Statutes; and

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

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

11 SECTION 8. It being immediately necessary for the preservation
12 of the public peace, health, or safety, an emergency is hereby
13 declared to exist, by reason whereof this act shall take effect and
14 be in full force from and after its passage and approval.

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

16
17 _____
18 Presiding Officer of the Senate

19 Passed the House of Representatives the ____ day of _____,
20 2025.

21
22 _____
23 Presiding Officer of the House
24 of Representatives