

***Education Legislation
of the
2017 Legislative Session***



Legislative and Political Organizing Center

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A-F Grading System

- HB 1693 (Martin/Stanislawski) – requires school rating system to align with Every Student Succeeds Act. It creates a dashboard of metrics for accountability that is not wholly reliant on test scores. It includes things like graduation rates and English language proficiency for English language learners. It removes sanctions and adds interventions to the language to address low grades. It maintains the single summative grade. The State Board of Education may adopt a different grading system for virtual charter schools, alternative schools and Pre K-2 schools. Law is effective 7/1/17.

Athletics

- HB 1668 (Thompsons/Rader) – removes a requirement by public and private high schools to advise students, in writing, who participate in any athletic program sponsored by the school, about the effects of receiving money or other valuables and their future in college sports. Effective 7/1/17.

Background Checks

- SB 29 (Thompson/Casey) - provides that a board of education is not required to obtain a new criminal history record check for an individual who has obtained certification from the SDE within the past twelve months. Effective 7/1/17.

Budget

- SB 860 (Osborn/David) – Budget bill. Education received the same appropriation as in Fiscal Year 2016, while many other agencies took between four and five percent cuts. OEA opposed this budget because it did not provide for a teacher pay raise, did not include enough recurring revenue to prevent future cuts and continues to grossly underfund the agencies that our students and their families depend upon.
- HB 2360 (Osborn/David) - supplemental trailer to this year's budget bill. Appropriates an additional \$18M to common education to cover the increased cost of teacher health insurance (Flexible Benefit Allowance). Effective 7/1/17.

Curriculum and Graduation

- HB 1694 (Martin/Stanislawski) – modifies financial literacy law to include managing bank accounts and understanding the Free Application for Federal Student Aid (FAFSA) as required topics for this course. Allows working with third party, Oklahoma-based contractors on this content. Effective 7/1/17.
- HB 1790 (Cannaday/Pemberton) – allows districts to offer remediation for students that score below a 19 on the ACT and states that the teacher does not have to be certified to teach the remediation. Effective 11/1/17.
- HB 2155 (Nollan/Stanislawski) - requires the SBE to adopt and work with local school districts in implementing a new statewide system of college & career planning tools known as the Individualized Career Academic Plan (ICAP), to be incorporated into high school graduation requirements. The ICAP system shall be phased in over the next three school years. Student ICAPs shall include college and career interest surveys;

postsecondary education and workforce goals; an intentional sequence of courses reflecting progress toward student goals; student academic progress; and experience in service learning and/or work environment activities. Effective 11/1/17.

- HB 2156 (Nollan/Sharp) - expands the core curriculum of a public school to allow graduation if a student takes a world language instead of computer education. Effective 7/1/18.

Discipline

- HB 1623 (Cleveland/Standridge) – prohibits corporal punishment against the students identified with the most significant cognitive disabilities unless addressed in an individualized education plan in accordance with federal special education law. A waiver can be achieved by a written note from a parent. Effective 11/1/17.

Document Storage

- HB 1506 (Strohm/Stanislawski) – allows school districts to store all documents and information regarding student records electronically or in paper form and allows the use of multiple file formats. Effective 7/1/17.

Dyslexia

- HB 2008 (McCall/Stanislawski) – creates 20-person Dyslexia and Education Task Force. Effective 7/1/17.

Enrollment

- SB 632 (Sharp/Henke) - addresses enrollment, course placement, special education services (if applicable), and graduation requirements for children who have been in state care. Effective 11/1/17.

Food

- HB 1875 (Dunnington/Griffin) – allows schools to donate unused food and produce to nonprofit organizations and allows for food to be distributed at the school site and employees to volunteer. Effective 11/1/17.

Funding

- HB 1202 (Casey/Quinn) – requires schools to report per-pupil funding as the total of all federal, state and local funds plus state support for day-to-day operations of schools divided by the aggregate student membership on October 1st of the year expenditures are made. Effective 11/1/17.
- HB 1837 (Osborn/David) – modifies Oklahoma Education Lottery Trust Fund allocation from a percentage of net proceeds to a fixed \$50 million. It is projected to increase funding by \$110M over the next five years.

Mandates

- HB 1622 (Rogers/Stanislawski) – requires a school to provide written notification if they intend to provide retirement benefits to a teacher such that the teacher’s salary would be less than the state minimum salary schedule. They have to do it prior to employment or if already employed, no later than thirty days prior to the date the district elects to provide retirement benefits. Effective 11/1/17.
- HB 1715 (Moore/Holt) – requires schools to allow groups listed in Title 36 of the US Code as a patriotic society to use school buildings to engage students at times outside of instruction time. Title 36 includes a long list of groups ranging from the Boy Scouts to the United States Submarine Veterans of World War II. Effective 11/1/17.

OHLAP (Oklahoma’s Promise Scholarship)

- SB 529 (Smalley/Henke) – requires Career Technology Institutions to accept these federal funds, prohibits these funds to be used for remedial coursework, and raises the allowable income for qualification. Beginning with SY 17-18 the limit is increased to \$55,000, then increased to \$60,000 by SY 20-21. Effective 7/1/17.

Open Records

- SB 191 (Thompson/Brumbaugh) - provides that any delay in providing access to open records shall be limited solely to the time required for preparing the requested documents and to avoid disruption of essential functions. Effective 11/1/17.

Pay

- HB 2157 (Nollan/Smalley) - allows school districts to give teachers retention pay for any year for returning to work in the same school district and such pay does not count as compensation that cannot be decreased from one year to the next. Authorizes local boards to contract with and compensate a public school paraprofessional for services rendered as a paraprofessional during the same time period the paraprofessional is also assigned to the district as a student teacher. Effective 7/1/17.

Pensions and Retirement

- SB 242 (Pugh/Martinez) - adds the State Treasurer or designee to the board of trustees for both the Public Employees Retirement System and the Teachers Retirement System. Effective 8/25/17.
- SB 428 (Smalley/Henke) - allows TRS members who retire as active classroom teachers and have refrained from any employment with a school district for a period of at least one year following retirement to be re-employed as an active classroom teacher with no limitations on earnings for a three-year period beginning July 1, 2017. Effective 7/1/17.
- HB 1162 (McDaniel/Stanislawski) – modifies the vesting period for the Teacher’s Retirement System from five to seven years for members joining the system after November 1, 2017. Effective 11/1/17.

Reading Sufficiency Act

- SB 84 (Bergstrom/Henke) - makes the Student Reading Proficiency Teams permanent. Delays by one year the inclusion of students who score limited knowledge on the third grade reading assessment from retention/promotion evaluation. This bill also increases the data required to be reported by the SDE in the Reading Report Card distributed annually to the Governor and legislative leaders. Effective 5/5/17.
- HB 1760 (Henke/Smalley) – second bill to make the Student Reading Proficiency Teams permanent. Adds a requirement for data tracking for students who are promoted through good-cause exemptions, through probationary promotion or students who are retained. Delays by one year the inclusion of students who score limited knowledge on the third grade reading assessment from retention/promotion evaluation. Effective 7/1/17.

Reporting

- HB 1952 (Jordan/Paxton) – prevents disciplinary action against a school employee based on statements made regarding violations of law, the Oklahoma Constitution, federal law or mismanagement of public resources. Effective 11/1/17.

School Finance

- SB 514 (Stanislawski/Casey) - creates a task force to study and make recommendations to the legislature regarding administrative costs and improving efficiency in school district operations. The report shall be submitted by August 1, 2018. The task force's study shall include but not be limited to: ways to reduce administrative costs; relative size of school districts and their proximity to other districts; average daily membership of districts; school district performance based on student assessments and accountability scores; and the financial stability of school districts. Effective 7/1/17.
- SB 563 (Bergstrom/Murphey) - permits a school district or technology center to participate in, sponsor, conduct or administer a cooperative purchasing agreement for the acquisition of any commodities or services with one or more public agencies. Effective 11/1/17.

Sick Leave

- HB 1188 (Cannaday/Simpson) – teachers can transfer unused sick leave, up to 60 days, if they are employed at the OK School for the Blind, or the OK School for the Deaf. All other schools can do the same, but it is at the discretion of their board. Effective 7/1/17.

State Department of Education

- HJR 1028 (Rogers/Stanislawski) - approves in whole and without instructions the assessment and accountability report recommendations proposed by the SDE and approved by the SBE in December 2016, pursuant to last year's HB 3218.
- SB 45 (Sharp/West) - authorizes SDE to directly contract with current or retired educators for services to assist the department. These contracts will be exempt

from competitive bidding requirements and from being included in the calculation of the educator's salary for salary schedule and TRS purposes. Effective 7/1/17.

Teacher Certification

- HB 1206 (Casey/Pemberton) – allows teachers who have successfully completed subject area portions of examinations to be certified in elementary education or early childhood education for the purpose of providing direct instruction or serving as teachers of record in special education settings only, even if they have not completed a commission-approved teacher education program. Effective 11/1/17.
- HB 1576 (Caldwell/Stanislowski) – requires professional development for educators to include digital teaching and learning standards and requires the Commission for Educational Quality and Accountability to adopt rules requiring coursework or training as a requisite for accreditation by November 1, 2017. Effective 7/1/17.
- HB 1755 (Henke/Smalley) – requires out-of-country certifications in a different language be reviewed in accordance with industry standards and guidelines approved by the SDE. Effective 7/1/17.
- HB 1957 (Baker/Sharp) – removes requirement of Troops to Teachers program members to have two years of work experience related to their subject. Effective 7/1/17.
- HB 1789 (Cannaday/Pemberton) – requires that those seeking certification in early childhood, elementary and special education receive additional research-based training on teaching students with dyslexia and other reading challenges, such as advanced readers, English learners, and children with learning disabilities. Effective 7/1/17.

Teacher Definition

- HB 2386 (Casey/Smalley) - restores the definition of teacher that was changed in last year's HB 3218 and which affects several areas of education law, including the TRS offset statute. This bill reverts the definition to the previous version, which states a teacher means any person employed as a district superintendent, principal, supervisor, a counselor, librarian, school nurse, or classroom teacher, or one who serves in any other instructional, supervisory, or administrative capacity. Effective 6/8/17.

Teacher Recruitment

- SB 14 (Bice/Martinez) - creates the Oklahoma "License to Educate" license plate, which shall be issued to anyone wishing to demonstrate support for Oklahoma educators. This measure provides that \$20 of the \$35 fee to obtain the license plate shall be deposited into the Oklahoma Teacher Recruitment Revolving Fund established by SB 15. Effective 11/1/17.

- SB 15 (Bice/Martinez) - requires the SDE and Regents for Higher Education, subject to the availability of funding, to develop and implement programs to identify and recruit students and other persons into the teaching profession. It also establishes the Oklahoma Teacher Recruitment Revolving Fund, to be expended by the SDE for purposes of operating teacher recruitment programs. Effective 7/1/17.

Virtual Schools

- SB 244 (Stanislawski/Jordan) - requires virtual charter schools to adopt an attendance policy by July 1, 2018. Pursuant to the policy, a student who attends a virtual charter school shall be considered in attendance for a quarter if: (1) the student completes instructional activities on no less than 90% of the days within the quarter, (2) is on pace for on-time completion of the course, or (3) completes no less than forty instructional activities within the quarter of the academic year. It also requires a virtual charter school to submit notification to the parent or legal guardian of a student approaching truancy. Effective 1/1/18.

Vouchers

- SB 301 (Griffin/Echols) - exempts students adopted from permanent DHS custody, in DHS out of home placement or in OJA custody from the prior school year attendance requirements of the Lindsey Nicole Henry Scholarship Program. Effective 9/1/17.
- SB 445 (Newhouse/Calvey) – Changes the caps and years that donations can be made to the Equal Opportunity Education Scholarship Act; allows for unused donations to be carried over to the next year. Effective 11/1/17.

Unemployment

- HB 1621 (Rogers/Stanislawski) – Educational contractors who are unemployed between academic years, if they were employed by a district in the first academic year and if there is a reasonable assurance they will be working there in the second academic year, cannot file for unemployment. If they end up unemployed in the second academic year, they can receive retroactive benefits for their work. Effective 11/1/17.