

1 **SENATE FLOOR VERSION**

2 February 9, 2015

3 SENATE BILL NO. 303

By: Shaw of the Senate

4 and

5 Denney of the House

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7
8 An Act relating to schools; amending 70 O.S. 2011,
9 Section 6-194, as last amended by Section 19, Chapter
10 124, O.S.L. 2014 (70 O.S. Supp. 2014, Section 6-194),
11 which relates to professional development programs;
12 requiring teacher training program to include sexual
13 abuse and assault awareness and prevention; directing
14 the State Department of Education, in certain
15 collaboration, to develop and make available to
16 school districts sexual abuse and assault awareness
17 and prevention education for certain grades; allowing
18 the Department of Education and the Department of
19 Human Services to identify or develop certain
20 materials, policies and procedures; directing school
21 district boards of education to adopt certain policy
22 to provide sexual abuse and assault awareness and
23 prevention education; requiring certain curriculum
24 and materials to be made available for inspection;
requiring certain notification to parents and
guardians; providing certain right to not
participate; directing the State Board of Education
to promulgate certain rules; providing for
codification; providing an effective date; and
declaring an emergency.

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

1 SECTION 1. AMENDATORY 70 O.S. 2011, Section 6-194, as
2 last amended by Section 19, Chapter 124, O.S.L. 2014 (70 O.S. Supp.
3 2014, Section 6-194), is amended to read as follows:

4 Section 6-194. A. The district boards of education of this
5 state shall establish professional development programs for the
6 certified teachers and administrators of the district. Programs
7 shall be adopted by each board based upon recommendations of a
8 professional development committee appointed by the board of
9 education for the district. For the fiscal years ending June 30,
10 2011, and June 30, 2012, a school district board of education may
11 elect not to adopt and offer a professional development program for
12 certified teachers and administrators of the district. If a school
13 district elects not to adopt and offer a professional development
14 program, the district may expend any monies allocated for
15 professional development for any purpose related to the support and
16 maintenance of the school district as determined by the board of
17 education of the school district.

18 B. Each professional development committee shall include
19 classroom teachers, administrators and parents, guardians or
20 custodians of children in the school district and shall consult with
21 a higher education faculty. A majority of the members of the
22 professional development committee shall be composed of classroom
23 teachers. The teacher members shall be selected by a designated
24 administrator of the school district from a list of names submitted

1 by the teachers in the school district. The members selected shall
2 be subject to the approval of a majority vote of the teachers in the
3 district. At a minimum, once every four (4) years the committee
4 shall include at least one school counselor in its membership.

5 C. In developing program recommendations, each professional
6 development committee shall annually utilize a data-driven approach
7 to analyze student data and determine district and school
8 professional development needs. The professional development
9 programs adopted shall be directed toward development of
10 competencies and instructional strategies in the core curriculum
11 areas for the following goals:

- 12 1. Increasing the academic performance data scores for the
13 district and each school site;
- 14 2. Closing achievement gaps among student subgroups;
- 15 3. Increasing student achievement as demonstrated on state-
16 mandated tests and the ACT;
- 17 4. Increasing high school graduation rates; and
- 18 5. Decreasing college remediation rates.

19 Each program may also include components on classroom management
20 and student discipline strategies, outreach to parents, guardians or
21 custodians of students, special education, and racial and ethnic
22 education, which all personnel defined as teachers in Section 1-116
23 of this title shall be required to complete on a periodic basis.
24 The State Board of Education shall provide guidelines to assist

1 school districts in developing and implementing racial and ethnic
2 education components into professional development programs. At
3 least once a year a program shall be offered which includes a
4 component of teacher training on recognition and reporting of child
5 abuse and neglect and sexual abuse and assault awareness and
6 prevention which all teachers shall be required to complete.
7 Additionally at least one time per year, beginning in the 2009-2010
8 school year, training in the area of autism shall be offered and all
9 resident teachers of students in early childhood programs through
10 grade three shall be required to complete the autism training during
11 the resident year and at least one time every three (3) years
12 thereafter. All other teachers and education support professionals
13 of students in early childhood programs through grade three shall be
14 required to complete the autism training at least one time every
15 three (3) years. The autism training shall include a minimum
16 awareness of the characteristics of autistic children, resources
17 available and an introduction to positive behavior supports to
18 challenging behavior. Each adopted program shall allow school
19 counselors to receive at least one-third (1/3) of the hours or
20 credit required each year through programs or courses specifically
21 designed for school counselors.

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

3 D. 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. Failure of any teacher to meet district board of
12 education professional development requirements may be grounds for
13 nonrenewal of such teacher's contract by the board. Such failure
14 may also be grounds for nonconsideration of salary increments
15 affecting the teacher. For the fiscal years ending June 30, 2011,
16 and June 30, 2012, a certified teacher shall not be required to
17 complete any points of the total number of professional development
18 points required. Provided, a teacher may elect to complete some or
19 all of the minimum number of points required for the two (2) fiscal
20 years and any points completed shall be counted toward the total
21 number of points required to maintain employment. If a teacher does
22 not complete some or all of the minimum number of points required
23 for one (1) or both fiscal years, the total number of points

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1 required to maintain employment shall be adjusted and reduced by the
2 number of points not completed.

3 E. Each district shall annually submit a report to the State
4 Department of Education on the district level professional
5 development needs, activities completed, expenditures, and results
6 achieved for each school year by each goal as provided in subsection
7 C of this section. If a school district elects not to adopt and
8 offer a professional development program as provided for in
9 subsection A of this section, the district shall not be required to
10 submit an annual report as required pursuant to this subsection but
11 shall report to the State Department of Education its election not
12 to offer a program and all professional development activities
13 completed by teachers and administrators of the school district.

14 F. Subject to the availability of funds, the Department shall
15 develop an online system for reporting as required in subsection E
16 of this section. The Department shall also make such information
17 available on its website.

18 SECTION 2. NEW LAW A new section of law to be codified
19 in the Oklahoma Statutes as Section 11-107.1 of Title 70, unless
20 there is created a duplication in numbering, reads as follows:

21 A. The State Department of Education, in collaboration with the
22 Department of Human Services and organizations that have expertise
23 in child sexual abuse, shall develop and make available to school
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1 districts age-appropriate sexual abuse and assault awareness and
2 prevention education for grades kindergarten through twelve.

3 B. The State Department of Education and the Department of
4 Human Services may identify or develop:

5 1. Research and evidence-based model educational materials on
6 child abuse and child sexual abuse; and

7 2. A model for child abuse and sexual abuse response policies
8 and reporting procedures.

9 C. Beginning with the 2016-2017 school year, the board of
10 education of each school district in this state shall adopt a policy
11 to provide age-appropriate sexual abuse and assault awareness and
12 prevention education for grades kindergarten through twelve. The
13 policy may address the inclusion of age-appropriate education as
14 part of physical and health curriculum or as a separate session
15 provided in consultation with the school's counselor.

16 D. All curriculum and materials that will be used to provide
17 age-appropriate sexual abuse and assault awareness and prevention
18 education for grades kindergarten through twelve shall be available
19 through the superintendent or a designee of the school district for
20 inspection by parents and guardians of the student who will be
21 involved with the class or session. The superintendent or a
22 designee of the school district shall provide prior written
23 notification to the parents or guardians of the students involved of
24 their right to inspect the curriculum and material and of their

1 obligation to notify the school in writing if they do not want their
2 child to participate in the class or session. Each school district
3 board of education shall determine the means of providing written
4 notification to the parents and guardians. No student shall be
5 required to participate in a class or session providing sexual abuse
6 and assault awareness and prevention education if a parent or
7 guardian of the student objects in writing to such participation.

8 SECTION 3. NEW LAW A new section of law to be codified
9 in the Oklahoma Statutes as Section 11-107.2 of Title 70, unless
10 there is created a duplication in numbering, reads as follows:

11 The State Board of Education shall promulgate rules to implement
12 the provisions of this act.

13 SECTION 4. This act shall become effective July 1, 2015.

14 SECTION 5. It being immediately necessary for the preservation
15 of the public peace, health and safety, an emergency is hereby
16 declared to exist, by reason whereof this act shall take effect and
17 be in full force from and after its passage and approval.

18 COMMITTEE REPORT BY: COMMITTEE ON EDUCATION
19 February 9, 2015 - DO PASS
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