

# An Act

ENROLLED HOUSE  
BILL NO. 2928

By: Blackwell, Coody, McDaniel  
(Jeannie), Tibbs and  
Cannaday of the House

and

Ford, Eason McIntyre and  
Stanislawski of the Senate

An Act relating to schools; amending 70 O.S. 2001, Section 6-194, as last amended by Section 2, Chapter 399, O.S.L. 2008 (70 O.S. Supp. 2009, Section 6-194), which relates to district professional development programs; exempting teachers from requirement to complete certain professional development points for certain fiscal years; allowing teachers to complete all or some points; requiring an adjustment in the total number of points required under certain circumstances; amending 70 O.S. 2001, Section 15-106.1, as last amended by Section 1 of Enrolled Senate Bill No. 749 of the 2nd Session of the 52nd Oklahoma Legislature, which relates to equipment purchase bonds; modifying definition of equipment; providing an effective date; and declaring an emergency.

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

SECTION 1. AMENDATORY 70 O.S. 2001, Section 6-194, as last amended by Section 2, Chapter 399, O.S.L. 2008 (70 O.S. Supp. 2009, Section 6-194), is amended to read as follows:

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

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

B. Each professional development committee shall include classroom teachers, administrators and parents, guardians or custodians of children in the school district and shall consult with a higher education faculty. A majority of the members of the professional development committee shall be composed of classroom teachers. The teacher members shall be selected by a designated administrator of the school district from a list of names submitted by the teachers in the school district. The members selected shall be subject to the approval of a majority vote of the teachers in the district. At a minimum, once every four (4) years the committee shall include at least one school counselor in its membership.

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

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

Each program may also include components on classroom management and student discipline strategies, outreach to parents, guardians or custodians of students, special education, and racial and ethnic education, which all personnel defined as teachers in Section 1-116 of this title shall be required to complete on a periodic basis. The State Board of Education shall provide guidelines to assist school districts in developing and implementing racial and ethnic education components into professional development programs. At least once a year a program shall be offered which includes a component of teacher training on recognition and reporting of child

abuse and neglect which all teachers shall be required to complete. Additionally at least one time per year, beginning in the 2009-2010 school year, training in the area of autism shall be offered and all resident teachers of students in early childhood programs through grade three shall be required to complete the autism training during the resident year and at least one time every three (3) years thereafter. All other teachers and education support professionals of students in early childhood programs through grade three shall be required to complete the autism training at least one time every three (3) years. The autism training shall include a minimum awareness of the characteristics of autistic children, resources available and an introduction to positive behavior supports to challenging behavior. Each adopted program shall allow school counselors to receive at least one-third (1/3) of the hours or credit required each year through programs or courses specifically designed for school counselors.

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

D. Each Except as otherwise provided for in this subsection, each licensed or certified teacher in this state shall be required by the district board of education to meet the professional development requirements established by the board, or established through the negotiation process. Provided Except as otherwise provided for in this subsection, the professional development requirements established by each board of education shall require every teacher to annually complete a minimum number of the total number of points required to maintain employment. Failure of any teacher to meet district board of education professional development requirements may be grounds for nonrenewal of such teacher's contract by the board. Such failure may also be grounds for nonconsideration of salary increments affecting the teacher. For the fiscal years ending June 30, 2011, and June 30, 2012, a licensed or certified teacher shall not be required to complete any points of the total number of professional development points required. Provided, a teacher may elect to complete some or all of the minimum number of points required for the two (2) fiscal years and any points completed shall be counted toward the total number of points required to maintain employment. If a teacher does not complete some or all of the minimum number of points required for one (1) or both fiscal years, the total number of points required to maintain

employment shall be adjusted and reduced by the number of points not completed.

E. Each district shall annually submit a report to the State Department of Education on the district level professional development needs, activities completed, expenditures, and results achieved for each school year by each goal as provided in subsection C of this section.

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

SECTION 2. AMENDATORY 70 O.S. 2001, Section 15-106.1, as last amended by Section 1 of Enrolled Senate Bill No. 749 of the 2nd Session of the 52nd Oklahoma Legislature, is amended to read as follows:

Section 15-106.1 Any school district may become indebted for the purpose of purchasing equipment and may issue its bonds, as provided for by law, in any amount not exceeding, with existing indebtedness, ten percent (10%) of the valuation of the taxable property within the school district, as shown by the last incurring of indebtedness. The bonds shall be made to mature within a period not to exceed five (5) years from their date. It is hereby declared that the use of the word "equipment" in Section 26, Article X of the Oklahoma Constitution was intended to include: library books, textbooks, school-owned uniforms, computer software, electronic media content, perpetual or continuous district software license agreements and web-based software subscriptions with a term of more than one (1) year but not more than five (5) years, the acquisition of telecommunications devices and components to be used to enhance classroom instruction and maintenance/service contracts which are included as a part of the equipment purchase price and any associated hardware and software necessary for implementation and training and any maintenance agreements. This provision shall not restrict a school district from issuing bonds with a maturity of greater than five (5) years for the purchase of equipment not listed in this section. If the maturity of the bond is greater than five (5) years, the maturity of the bond shall not exceed the effective life of any equipment purchased with the proceeds.

SECTION 3. This act shall become effective July 1, 2010.

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

Passed the House of Representatives the 28th day of May, 2010.

*Chris Steele*

Presiding Officer of the House of Representatives

Passed the Senate the 28th day of May, 2010.

*Carol Cell*

Presiding Officer of the Senate

OFFICE OF THE GOVERNOR

Received by the Governor this 28<sup>th</sup>  
day of May, 2010,  
at 8:45 o'clock P M.

By: *[Signature]*

Approved by the Governor of the State of Oklahoma the 10<sup>th</sup> day of  
June, 2010, at 3:39 o'clock A M.

*[Signature]*

Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Secretary of State this \_\_\_\_\_  
11<sup>th</sup> day of June, 2010,  
at 4:18 o'clock P M.

By: *M. Mason*