

1 STATE OF OKLAHOMA

2 1st Session of the 59th Legislature (2023)

3 HOUSE BILL 1771

By: Kane

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5  
6 AS INTRODUCED

7 An Act relating to schools; defining terms; requiring  
8 school district boards of education to adopt policy  
9 allowing certain students to participate in certain  
10 activities; requiring publication of policy;  
11 providing eligibility criteria for participation;  
12 requiring compliance with academic standards;  
13 providing for agreed-upon method for evaluation of  
14 compliance; amending 70 O.S. 2021, Section 27-103,  
15 which relates to the Oklahoma Extracurricular  
16 Activities Accountability Act; requiring policy to  
17 allow participation of certain students in certain  
18 activities; providing for codification; providing an  
19 effective date; and declaring an emergency.

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

21 SECTION 1. NEW LAW A new section of law to be codified  
22 in the Oklahoma Statutes as Section 8-201 of Title 70, unless there  
23 is created a duplication in numbering, reads as follows:

24 A. As used in this section:

1. "Resident district" means the public school district in  
which a student resides as defined in Section 1-113 of Title 70 of  
the Oklahoma Statutes;

1           2. "School athletic association" shall have the same meaning as  
2 defined in Section 27-102 of Title 70 of the Oklahoma Statutes; and

3           3. "Students who are educated by other means" means students  
4 who are educated pursuant to the other means of education exception  
5 provided for in subsection A of Section 10-105 of Title 70 of the  
6 Oklahoma Statutes.

7           B. Beginning with the 2023-2024 school year, each school  
8 district board of education shall adopt a policy allowing students  
9 who are educated by other means to participate in extracurricular  
10 activities offered by the student's resident district. The policy  
11 shall be published in the school district student handbook and  
12 posted on the school district website.

13           C. In order to participate in extracurricular activities  
14 pursuant to this section, students who are educated by other means  
15 shall:

16           1. Register an intention to participate with the board of  
17 education of the resident district by the July 1 immediately  
18 preceding the school year in which participation is intended;

19           2. Pay any participation or activity fee in an amount equal to  
20 any fee charged to a resident district participant;

21           3. Adhere to the same standards of behavior, responsibility,  
22 performance, and code of conduct as other participants of the  
23 resident district;

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1 4. Adhere to any rules and policies of a school athletic  
2 association which provides the coordination, supervision, and  
3 regulation of the extracurricular activities and contests of  
4 schools;

5 5. Adhere to any physical exams or drug testing provisions  
6 required by the board of education of the resident district or the  
7 school athletic association which provides the coordination,  
8 supervision, and regulation of the extracurricular activities and  
9 contests of schools; and

10 6. Adhere to the same academic standards as other participants  
11 of the resident district pursuant to the provisions of subsection D  
12 of this section.

13 D. During the time period a student who is educated by other  
14 means participates in extracurricular activities pursuant to the  
15 provisions of this section, the student shall meet academic  
16 standards by a method of evaluation agreed upon by the parent or  
17 legal guardian of the student and the superintendent of the resident  
18 district. The method of evaluation may include a review of the  
19 student's work by a certified teacher employed by the resident  
20 district, the student's performance on a nationally recognized  
21 standardized test, or evaluation of grades earned through  
22 correspondence courses.

23 SECTION 2. AMENDATORY 70 O.S. 2021, Section 27-103, is  
24 amended to read as follows:

1 Section 27-103. A public school or school district shall not be  
2 a member of any school athletic association unless that association  
3 has adopted a written policy that requires the following:

4 1. All records of the association to be made accessible  
5 consistent with the provisions of the Oklahoma Open Records Act;

6 2. All meetings of the association to be open and conducted in  
7 a manner consistent with the provisions of the Oklahoma Open Meeting  
8 Act, including specifically the notice and agenda, voting and  
9 executive session requirements; ~~and~~

10 3. An annual financial audit and a compliance audit of all  
11 funds of the association in accordance with the auditing standards  
12 set forth in the Oklahoma Public School Audit Law. In addition, the  
13 association shall have performance audits conducted of the  
14 operations of the association. A performance audit shall be  
15 conducted no later than December 31, 2014, and by December 31 every  
16 five (5) years thereafter; and

17 4. A student who is educated pursuant to the other means  
18 exception provided for in subsection A of Section 10-105 of this  
19 title may participate in interscholastic activities or contests  
20 offered by the student's resident district as defined in Section 1-  
21 113 of this title. Student participation shall be subject to the  
22 provisions of Section 1 of this act.

23 SECTION 3. This act shall become effective July 1, 2023.  
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1       SECTION 4. It being immediately necessary for the preservation  
2 of the public peace, health or safety, an emergency is hereby  
3 declared to exist, by reason whereof this act shall take effect and  
4 be in full force from and after its passage and approval.

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