

STATE OF OKLAHOMA

1st Session of the 60th Legislature (2025)

SENATE BILL 348

By: Bergstrom

AS INTRODUCED

An Act relating to schools; amending 70 O.S. 2021, Section 5-117, which relates to powers and duties of school district boards of education; updating statutory language; updating statutory references; requiring educational service providers, their employees and representatives, and services to afford certain parents and legal guardians the rights provided by the Parents' Bill of Rights; providing each school district board of education and its administration the responsibility for content of all instructional materials used or made available; directing school district boards of education to adopt certain policy; providing for posting of policy; providing for contents of policy; directing certain form to be prescribed by certain rules; allowing certain evidence to be submitted; providing for removal of certain instructional material upon receipt of certain objection; authorizing reading of certain passages; directing school districts to discontinue use of certain instructional materials under certain circumstances; directing school district boards of education to establish certain procedure to contest adoption of certain materials; providing for submission of certain petition on certain form within certain time period; directing a school district board of education to conduct certain hearing within certain time period; directing recommendation to be made; amending Section 1, Chapter 106, O.S.L. 2022 (70 O.S. Supp. 2024, Section 11-201), which relates to school library media centers; directing all print materials, nonprint materials, and multimedia resources to be subject to certain provisions; amending 70 O.S. 2021, Sections 16-102 and 16-111, which relate to textbook adoption; updating statutory language; directing review team

1 members to take certain factors into consideration in
2 recommending textbooks and instructional materials;
3 requiring selected textbooks to meet certain
4 requirements; modifying membership of local textbook
committees; directing review process to use certain
5 criteria; providing an effective date; and declaring
6 an emergency.

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

8 SECTION 1. AMENDATORY 70 O.S. 2021, Section 5-117, is
9 amended to read as follows:

10 Section 5-117. A. The board of education of each school
11 district shall have power to:

12 1. Elect its own officers; provided that the chair of the board
13 authorized in Section 5-107B of this title shall be elected by the
14 electors of the school district;

15 2. Make rules, not inconsistent with the law or rules of the
16 State Board of Education, governing the board and the school system
17 of the district, including converting all or part of a traditional
18 public school to a conversion school;

19 3. Maintain and operate a complete public school system of such
20 character as the board of education shall deem best suited to the
21 needs of the school district;

22 4. Designate the schools to be attended by the children of the
23 district;

1 5. Provide and operate, when deemed advisable, cafeterias or
2 other eating accommodations, thrift banks, or other facilities for
3 the teaching and practice of thrift and economy, bookstores, print
4 shops, and vocational and other shops;

5 6. Provide informational material concerning school bond
6 elections and millage elections, including, but not limited to, all
7 pertinent financial information relative to the bond issue, a
8 statement of revenue sources necessary to retire proposed bonds, a
9 statement of current bonded indebtedness of the school district, and
10 a statement of proposed use of funds to be generated by the proposed
11 bond issue. The informational material shall not contain the words
12 "vote yes" or "vote no" or any similar words or statement ~~any place~~
13 anyplace on such informational material;

14 7. Purchase, construct, or rent, and operate and maintain,
15 classrooms, libraries, auditoriums, gymnasiums, stadiums, recreation
16 places and playgrounds, teacherages, school bus garages,
17 laboratories, administration buildings, and other schoolhouses and
18 school buildings, and acquire sites and equipment for the operation
19 of public schools or conversion schools;

20 8. a. Insure the school district or its employees against
21 any loss, damage, or liability as defined by Sections
22 702 through 708 of Title 36 of the Oklahoma Statutes,
23 or other forms of insurance provided for in Title 36
24 of the Oklahoma Statutes.

1 b. Subject to the restrictions of liability in ~~the~~ The
2 Governmental Tort Claims Act:

3 (1) insure the school district against all or any
4 part of any liability it may incur for death,
5 injury, or disability of any person, or for
6 damage to property, either real or personal,

7 (2) insure any employee of the school district
8 against all or any part of the employee's
9 liability for injury or damage resulting from an
10 act or omission in the scope of employment, or

11 (3) insure against the expense of defending a claim
12 against the school district or its employee,
13 whether or not liability exists on such claim.

14 c. As used in this subsection, "employee" means any
15 person who has acted ~~in~~ on behalf of a school
16 district, whether that person is acting on a permanent
17 or temporary basis with or without being compensated
18 or on a full-time or part-time basis. Employee also
19 includes all elected or appointed officers, members of
20 governing bodies of a school district, and persons
21 appointed, and other persons designated by a school
22 district to act in its behalf.

23 d. The cost or premium of any such insurance is a proper
24 expenditure of the school district.

1 e. Any insurance authorized by law to be purchased,
2 obtained, or provided by a school district may be
3 provided by:

4 (1) self-insurance, which may be, but is not required
5 to be, funded by appropriations to establish or
6 maintain reserves for self-insurance purposes.

7 Any self-insurance reserve fund shall be
8 nonfiscal and shall not be considered in
9 computing any levy when the school district makes
10 its annual estimate for needed appropriations,

11 (2) insurance in any insurer authorized to transact
12 insurance in this state,

13 (3) insurance secured in accordance with any other
14 method provided by law, or

15 (4) any combination of insurance authorized by this
16 ~~section~~ subsection.

17 f. Two or more school districts or public agencies, by
18 interlocal agreement made pursuant to the Interlocal
19 Cooperation Act, may provide insurance for any purpose
20 by any one or more of the methods specified in this
21 ~~section~~ subsection. The pooling of self-insured
22 reserves, claims, or losses among governments as
23 authorized in this ~~section~~ subsection shall not be
24 construed to be transacting insurance nor otherwise

1 subject to the provisions of the laws of this state
2 regulating insurance or insurance companies, except as
3 to the provisions of Section 607.1 of Title 36 of the
4 Oklahoma Statutes. Two or more school districts may
5 also be insured under a master policy or contract of
6 insurance. Premium costs may be set individually for
7 each school district or apportioned among
8 participating school districts as provided by the
9 master policy or contract;

10 9. Acquire property by condemnation proceedings in the same
11 manner as land is condemned for railroad purposes. School district
12 funds may be used to erect buildings on leased land on which other
13 buildings have been erected prior to April 3, 1969, or on land which
14 is leased from a governmental entity;

15 10. Lease real or personal property to the state or any
16 political subdivision thereof or a not-for-profit entity operating
17 pursuant to Section 868 of Title 18 of the Oklahoma Statutes for
18 nominal cash consideration for so long as the use of the property by
19 the lessee substantially benefits, in whole or in part, the same
20 public served by the school district;

21 11. a. Dispose of personal or real property no longer needed
22 by the district by sale, exchange, lease, lease-
23 purchase, sale, and partial lease back, or otherwise.
24 Real property shall be conveyed pursuant to a public

1 sale, public bid, or private sale; provided, however,
2 unless otherwise prohibited by law, the board of
3 education of a consolidated or annexed school district
4 or any other school district may convey real property
5 to a local political subdivision or to an educational
6 institution within The Oklahoma State System of Higher
7 Education or to a housing authority formed pursuant to
8 the provisions of Section 1057 of Title 63 of the
9 Oklahoma Statutes without consideration. Prior to the
10 sale of any real property, the board of education
11 shall have the real property appraised. The appraisal
12 shall be confidential until the real property is sold.
13 When the real property is sold, the board of education
14 shall make the appraisal available for public
15 inspection. Prior to the conveyance of any real
16 property by private sale, the board of education shall
17 have offered the real property for sale by public sale
18 or public bid. Any conveyance of real property by
19 private sale to a nonprofit organization, association,
20 or corporation to be used for public purposes, unless
21 for exchange, shall contain a reversionary clause
22 which returns the real property to the board of
23 education upon the cessation of the use without profit
24

1 or for public purposes by the purchaser or the assigns
2 of the purchaser,

3 b. If a board of education makes the decision to dispose
4 of real or personal property that is leased at the
5 time the decision is made, whether such disposal is by
6 public sale, public bid, or private sale, the lessee
7 shall have a right of first refusal to purchase the
8 property on the following terms and conditions:

9 (1) if a board of education receives a bid or offer
10 in a public sale, public bid, or private sale for
11 any real or personal property that it desires to
12 accept, then it shall provide notice to the
13 lessee of the property. The notice shall include
14 the identity of the prospective purchaser of the
15 property, the terms and conditions of the
16 proposed sale, and the purchase price to be paid
17 by the prospective purchaser, and

18 (2) the lessee shall have thirty (30) days after
19 receipt of the notice to inform the board of
20 education that it elects to purchase the property
21 on the same terms and conditions set forth in the
22 notice, in which event the board of education
23 shall convey the property to the lessee on all
24 the same terms and conditions set forth in the

1 notice; provided, however, that if any portion of
2 the consideration included in the purchase price
3 set forth in the notice is not in cash, then the
4 lessee shall be entitled to pay the fair market
5 value in cash of such noncash consideration;

6 12. Purchase necessary property, equipment, furniture, and
7 supplies necessary to maintain and operate an adequate school
8 system;

9 13. Incur all expenses, within the limitations provided for by
10 law, necessary to perform all powers granted by the provisions of
11 this section;

12 14. Contract with and fix the duties and compensation of
13 physicians, dentists, optometrists, nurses, attorneys,
14 superintendents, principals, teachers, bus drivers, janitors, and
15 other necessary employees of the district;

16 15. Establish a written policy for reimbursement of necessary
17 travel expenses of employees and members of the board. The policy
18 may include in-district travel from the site of employment
19 assignment which is necessary in the performance of employment
20 duties. The written policy shall specify procedures, contain
21 documentation requirements, and may include payment of meal expenses
22 during authorized travel on a per diem allowance basis rather than
23 itemized documentation;

1 16. Pay necessary travel expenses and other related expenses of
2 prospective employees for sponsored visits to the school district
3 pursuant to a written policy specifying procedures containing
4 documentation requirements equal to or greater than the requirements
5 specified by law for state employees in the State Travel
6 Reimbursement Act;

7 17. Provide for employees' leaves of absence without pay;

8 18. Exercise sole control over all the schools and property of
9 the district, subject to other provisions of the Oklahoma School
10 Code;

11 19. Allow district-owned school buses to be used for
12 transportation of students from other districts or educational
13 institutions while within the district on educational tours. ~~This~~
14 The provisions of this paragraph shall not restrict the authority of
15 the board to authorize any other use of such buses which may ~~now~~ be
16 permitted by law or rule of the State Board of Education;

17 20. Enter into contractual agreements with the board of
18 trustees of a multicounty library system, as defined in Section 4-
19 103 of Title 65 of the Oklahoma Statutes, a city-county library
20 commission, as defined in Section 152 of Title 65 of the Oklahoma
21 Statutes, or a rural single county library system, as defined in
22 Section 1-104 of Title 65 of the Oklahoma Statutes, on such terms as
23 may be mutually agreed, except no district board of education may
24 enter into any agreement under which the library services for the

1 school would be provided at any site other than the school site or
2 which would result in library services that do not meet
3 accreditation standards as required by law or rule;

4 21. Perform all functions necessary to the administration of a
5 school district in ~~Oklahoma~~ this state as specified in the Oklahoma
6 School Code, and in addition thereto, those powers necessarily
7 implied but not delegated by law to any other agency or official;

8 22. Prepare and distribute at the expense of the school
9 district any and all material which has the purpose of informing the
10 public about district activities;

11 23. Solicit and accept any gift, grant, or donation of money or
12 property for the use of the school district. Any gift, grant, or
13 donation of money may be deposited in the general fund or building
14 fund of the school district; and

15 24. Pay necessary meal and lodging expenses of school district
16 students and sponsors involved in authorized school-sponsored
17 cocurricular activities. The board of education shall establish a
18 written policy for reimbursement of necessary meal and lodging
19 expenses of school district students and sponsors. The written
20 policy shall specify procedures, contain documentation requirements,
21 and designate the funds from which reimbursement may be made.
22 Reimbursement may be made from the General Fund.

23 B. The board of education of any school district may rent real
24 and personal property, if such items are necessary for the operation

1 of the school, and pay the rental charges for the usage during any
2 fiscal year, or portion thereof, out of appropriations made and
3 approved for current expense purposes during the fiscal year. Any
4 rental contract extending beyond June 30 of the fiscal year shall be
5 void unless it contains provisions for mutual ratification of
6 renewal pursuant to the conditions provided for in this subsection.
7 It is the intent of this subsection to authorize boards of education
8 to enter into lease contracts but not to incur any obligation
9 against the school district in excess of the income and revenue
10 provided for such purposes for the fiscal year in which the lease
11 contract is operative. Any lease or lease-purchase agreement
12 entered into by any board of education shall state the purchase
13 price of real or personal property so leased. The lease or lease-
14 purchase shall not be extended so as to cause payment of more than
15 the original purchase price of the real or personal property, plus
16 interest not to exceed the legal rate. When the purchase price plus
17 interest has been paid, the property shall belong to the lessee and
18 the lessor shall deliver a deed or bill of sale to the property to
19 the lessee. When any real or personal property has been leased or
20 rented during any fiscal year pursuant to the provisions of any
21 contract which permits continuance of the rental for the remainder
22 of the fiscal year, the renting or leasing of the property shall be
23 continued for the remainder of the fiscal year unless the board of
24 education renting or leasing the same certifies by proper resolution

1 entered in the minutes of the board of education that the
2 continuance of the rental is unnecessary and contrary to the public
3 interest. Any lease-purchase agreement entered into shall include
4 the right of a school district to acquire buildings, equipment, or
5 other facilities or discrete components thereof or improve school
6 sites through a lease-purchase agreement. A school district may use
7 proceeds derived from the sale of bonds as authorized by Section 26
8 of Article X of the Oklahoma Constitution to make lease-purchase
9 payments, including interest, under a lease-purchase agreement. For
10 purposes of this subsection, the term "acquired" as used in Section
11 26 of Article X of the Oklahoma Constitution shall mean the
12 possession, control, or power to dispose of personal or real
13 property.

14 C. The boards of education of two or more school districts may
15 enter into cooperative agreements and maintain joint programs
16 including, but not limited to, courses of instruction for
17 ~~handicapped~~ children with disabilities, courses of instruction in
18 music and other subjects, practical instruction for trades and
19 vocations, practical instruction in driver training courses, and
20 health programs including visual care by persons legally licensed
21 for such purpose, without favoritism as to either profession. The
22 revenues necessary to operate a joint program approved in
23 cooperative agreements, whether from federal, state, or local
24 sources, including the individual contributions of participating

1 school districts, shall be deposited into a fund separate from all
2 other appropriated funds. The beginning fund balance each year,
3 combined with all actual revenues, including collected and estimated
4 revenues, ~~must~~ shall be appropriated before being expended.

5 Purchase orders shall be issued against available appropriations
6 and, once goods or services have been received, either payable or
7 nonpayable warrants shall be issued in payment of all purchase
8 orders. The fund shall be reported as a separate appropriated fund
9 in all the financial reports of the school district which is chosen
10 by the other school districts to keep the accounting records of the
11 joint program.

12 D. The boards of education of two or more school districts may
13 enter into a mutual contract or separate contracts with a
14 superintendent, administrator, or teacher or with a person to
15 provide support services, to serve as superintendent, administrator,
16 or teacher, as appropriately qualified, or to provide support
17 services, for each contracting district upon such terms and
18 conditions as the parties may agree. Nothing in this section shall
19 be construed to authorize or require annexation or consolidation of
20 any school districts or the closing of any school site except
21 pursuant to law as set forth in Section 7-101 et seq. of this title.

22 E. Any school district may operate or maintain a school or
23 schools on any military reservation which is within the boundaries
24 of the school district or which is adjacent to the school district,

1 and provide the instruction in the school or schools to children of
2 personnel on the military reservation and, in doing so, shall
3 conform to all federal laws and requirements.

4 F. The board of education of each school district shall adopt
5 and maintain on file in the office of the superintendent of schools
6 appropriate personnel policy and sick leave guide. The guide shall
7 be made available to the public.

8 G. The board of education of any school district with an
9 average daily membership of thirty thousand (30,000) or more and all
10 or part of which school district is located in a county having a
11 population of more than five hundred thousand (500,000) population
12 according to the latest Federal Decennial Census may contract with a
13 public or private nonsectarian entity for that entity to provide
14 educational and administrative services for the school district.
15 The educational services provided by a contracting entity may
16 include, but are not limited to, the delivery of instructional
17 service in core and noncore academic subjects to the students
18 enrolled in the school district at one or more school sites or parts
19 of sites within the district pursuant to the terms of an educational
20 services contract. All educational service providers and their
21 employees and representatives and all educational and administrative
22 services provided under an educational services contract shall be
23 exempt from all statutes and rules relating to schools, boards of
24 education, and school districts to the same extent that a charter

1 school is exempt under the Oklahoma Charter Schools Act. All
2 educational service providers, their employees and representatives,
3 and all educational and administrative services provided pursuant to
4 an educational services contract shall afford parents and legal
5 guardians of students who are provided services by a contracting
6 entity pursuant to this subsection their rights provided by the
7 Parents' Bill of Rights. For all purposes including, but not
8 limited to, attendance, funding from all sources, and
9 accountability, all students who are provided services by a
10 contracting entity pursuant to an educational services contract
11 shall at all times be and remain students of the school district.

12 H. Each school district board of education and its
13 administration shall be responsible for the content of all
14 instructional materials and any other materials used or made
15 available in a classroom or classroom library or included on a
16 reading list, whether such materials are purchased from the list of
17 textbooks, as defined in Section 16-102 of this title, or purchased
18 without the use of state-appropriated funds.

19 I. Each school district board of education shall adopt a policy
20 outlining procedures for the processing and resolution of objections
21 regarding the use of a specific instructional material provided
22 pursuant to subsection H of this section when the objection is
23 submitted by the parent or legal guardian of a student or a resident
24 of the school district. The board of education policy shall be easy

1 to read and understand and be easily accessible on the home page of
2 the school district's website. The objection shall be submitted on
3 a form prescribed by administrative rules promulgated by the State
4 Board of Education, and the school district board of education shall
5 include on the form the name, job title, and contact information of
6 the school district employee responsible for receiving objections
7 submitted pursuant to this subsection. The policy adopted by the
8 school district board of education shall allow a parent or legal
9 guardian of a student or a resident of the school district to submit
10 evidence that:

11 1. An instructional material does not meet the criteria of
12 subsection F of Section 16-102 of this title or subsection B of
13 Section 16-114a of this title;

14 2. An instructional material uses terms defined contrary to the
15 definitions provided for in Section 16 of Title 25 of the Oklahoma
16 Statutes if the material was selected for use in a course or made
17 available to students in the school district; or

18 3. An instructional material or any other material used or made
19 available in a classroom or classroom library or included on a
20 reading list contains content which:

21 a. is material described in Section 1021 of Title 21 of
22 the Oklahoma Statutes or is pornographic or obscene
23 material as the term is used in Section 1021.2 of
24 Title 21 of the Oklahoma Statutes,

- 1 b. depicts or describes sexual conduct, as defined in
2 Section 1024.1 of Title 21 of the Oklahoma Statutes,
3 unless such material is for a course for which a
4 parent or legal guardian has provided written consent
5 for a student to participate,
- 6 c. is not suited for the needs of students and their
7 abilities to comprehend the curriculum material being
8 presented, or
- 9 d. is not appropriate for the grade level for which the
10 instructional material is used.

11 J. 1. Any instructional material that is subject to an
12 objection based on subparagraphs a or b of paragraph 3 of subsection
13 I of this section shall be removed within five (5) school days of
14 receipt of the objection and shall remain unavailable to students
15 until the objection is resolved. Parents or legal guardians of a
16 student enrolled in the school district or a resident of the school
17 district shall be authorized to read passages from any instructional
18 material subject to an objection submitted for reasons outlined in
19 this paragraph.

20 2. If a school district board of education denies a parent or
21 legal guardian of a student enrolled in the district or a resident
22 of the school district the opportunity to read passages from an
23 instructional material due to content that meets the criteria of
24

1 subparagraph b of paragraph 3 of subsection I of this section, the
2 school district shall discontinue use of the instructional material.

3 3. If a school district board of education finds that any
4 instructional material meets the criteria of paragraphs 1 or 2 of
5 subsection I of this section or that any instructional material
6 meets the criteria of subparagraph a of paragraph 3 of subsection I
7 of this section, the school district shall discontinue use of the
8 instructional material.

9 4. If a school district board of education finds that any
10 instructional material meets the criteria of subparagraphs b, c, or
11 d of paragraph 3 of subsection I of this section, the school
12 district shall discontinue use of the material for any grade level
13 for which such use is determined by the board to be inappropriate or
14 unsuitable.

15 K. Each school district board of education shall establish a
16 procedure through which the parent or legal guardian of a student
17 enrolled in the school district or a resident of the school district
18 may contest the board of education's adoption of a specific
19 instructional material for reasons outlined in subsection F of
20 Section 16-102 of this title or subsection B of Section 24-157 of
21 this title. The parent or legal guardian of the student or a
22 resident of the school district shall submit a petition on a form
23 prescribed by the school district within thirty (30) calendar days
24 of the school district board of education's adoption of the

1 instructional material. The form shall be easily accessible on the
2 home page of the school district's website. The form shall be
3 signed by the parent or legal guardian of the student enrolled in
4 the school district or the resident of the school district, include
5 contact information for the individual submitting the form, and
6 include the reason for the objection to the adoption of the
7 instructional material based on criteria provided for in this
8 subsection. Within thirty (30) calendar days of receipt of the form
9 submitted pursuant to this subsection, the school district board of
10 education shall conduct a minimum of one public hearing before a
11 board-appointed hearing officer, who shall not be an employee of the
12 school district. The hearing shall provide sufficient procedural
13 protections to allow each petitioner an adequate and fair
14 opportunity to be heard and present evidence to the hearing officer.
15 The hearing officer shall make a recommendation to the school
16 district board of education, and the board of education's decision
17 shall be final, not subject to further review.

18 SECTION 2. AMENDATORY Section 1, Chapter 106, O.S.L.
19 2022 (70 O.S. Supp. 2024, Section 11-201), is amended to read as
20 follows:

21 Section 11-201. A. As school library media center resources
22 are finite, the library media program shall be reflective of the
23 community standards for the population the library media center
24 serves when acquiring an age-appropriate collection of print
25

1 materials, nonprint materials, multimedia resources, equipment, and
2 supplies adequate in quality and quantity to meet the needs of
3 students in all areas of the school library media program.

4 B. All print materials, nonprint materials, and multimedia
5 resources that are part of a library media center shall be subject
6 to the provisions of subsections H and I of Section 5-117 of this
7 title.

8 SECTION 3. AMENDATORY 70 O.S. 2021, Section 16-102, is
9 amended to read as follows:

10 Section 16-102. A. The State Textbook Committee shall meet at
11 the call of the chair as often as necessary, with two (2) weeks'
12 public notice, to discharge its responsibilities. If necessary, not
13 later than the first day of December of each year the State Textbook
14 Committee shall meet to select textbooks for subjects taught in the
15 public schools of the state for grades prekindergarten through
16 twelve, which selections shall be for not more than six (6) years
17 for every textbook.

18 B. The Committee may suspend any currently pending selection
19 process of textbooks and may extend by at least two (2) years the
20 six-year adoption period of those textbooks currently on the state
21 adopted list, for the purpose of delaying for two (2) years the six-
22 year adoption cycle of subjects.

23 C. ~~"Textbooks", as~~ As used in Sections 16-101 through 16-124 of
24 this title, "textbooks" means instructional materials that are

1 designed for use by pupils as a learning resource. Instructional
2 materials may be printed or nonprinted and may include textbooks,
3 technology-based and other educational materials.

4 D. ~~"List of textbooks" or "the list", as~~ As used in Sections
5 16-101 through 16-111 of this title, "list of textbooks" or "the
6 list" means the official textbook list required by Section 6 of
7 Article XIII of the Oklahoma Constitution. The list shall include
8 the textbooks and other instructional materials selected by the
9 State Textbook Committee for use in the common schools of the state.

10 E. 1. The State Department of Education, in coordination with
11 the State Textbook Committee, shall approve an application process
12 to assemble annually one or more review teams comprised of subject
13 matter experts for each subject area under review to assist the
14 Committee in reviewing textbooks and instructional materials. The
15 number of review teams shall be contingent on the number of subject
16 areas under review each year. Members of the review teams shall
17 have specific expertise in the subject areas being reviewed that
18 year. Review teams shall consist of no ~~less~~ fewer than twelve
19 members each, but may be as large as is deemed necessary by the
20 State Textbook Committee and the State Department of Education.
21 Subject to the availability of funds within the State Department of
22 Education, members of the review teams shall receive from the
23 Department necessary traveling expenses while in the performance of
24 duties pursuant to the State Travel Reimbursement Act.

1 2. Members of review teams shall consider for recommendation
2 textbooks and instructional materials developed for academically
3 talented students including students enrolled in advanced placement
4 courses.

5 3. When recommending textbooks, each review team shall:

6 a. include only textbooks and instructional materials
7 that maintain that a person's sex, as defined by
8 Section 16 of Title 25 of the Oklahoma Statutes, is an
9 immutable biological trait and that it is false to
10 ascribe to a person a pronoun that does not correspond
11 to a person's sex. The provisions of this
12 subparagraph shall not apply to textbooks or
13 instructional materials that provide instruction about
14 individuals born with a genetically or biochemically
15 verifiable disorder of sex development (DSD)
16 including, but not limited to: 46,XX DSD; 46,XY DSD;
17 sex chromosomes DSDs; XX or XY sex reversal; and
18 ovotesticular disorder, and

19 b. require, when appropriate for the comprehension of
20 students, that materials for social studies, history,
21 or civics classes contain the culturally and
22 historically significant stories that shaped the
23 United States including, but not limited to, the
24 Federalist Papers, the Anti-Federalist Papers, the

1 Declaration of Independence, and the United States
2 Constitution. A reviewer may not recommend any
3 textbook or instructional material that contains any
4 matter reflecting on an individual in such a way that
5 implies collective guilt upon persons because of their
6 race, color, creed, national origin, ancestry, gender,
7 religion, disability, socioeconomic status, or
8 occupation or that otherwise promotes concepts
9 prohibited by Section 24-157 of this title.

10 F. The Committee shall select textbooks or series of textbooks
11 for each subject, which, to the greatest extent possible, are
12 aligned with the subject matter standards adopted by the State Board
13 of Education pursuant to Section 11-103.6 of this title. The
14 Committee, in consultation with the State Department of Education,
15 shall adopt a rubric to be used by the review teams as a means of
16 evaluating textbooks submitted for review. The rubric shall contain
17 a three-tiered rating system in which the first tier shall be
18 labeled "Exemplifies Quality", the second tier shall be labeled
19 "Approaching Quality", and the third tier shall be labeled "Not
20 Representing Quality". The rubric shall also include, but not be
21 limited to, criteria for alignment to subject matter standards such
22 that all standards are present and treated with the appropriate
23 depth to support students in learning the skills and information
24 contained in the subject matter standards, as well as usability for

1 teacher planning, learning, assessment, and differentiated
2 instruction. The Committee, in consultation with the review teams,
3 may include additional criteria specific to the subject area being
4 reviewed. The rubric shall require each criterion to be scored
5 individually with justification, and shall provide an overall
6 recommendation for the rating.

7 G. Review teams shall review all materials in accordance with
8 the rubric adopted ~~in~~ pursuant to subsection F of this section and
9 shall submit the review and recommended rating to the Committee.
10 The Committee shall consider but not be required to accept the
11 recommended rating of the review teams. The Committee may request
12 that the review teams supply additional information to support their
13 recommendations, or the Committee may provide its own justification
14 utilizing the adopted rubric.

15 H. The Committee, having verified that the review process has
16 been conducted in a scrupulous and fair manner, shall adopt a final
17 rating for each textbook prior to including it on the textbook list
18 required by Section 16-110 of this title. The completed rubric for
19 each evaluated textbook, including the review team's
20 recommendations, shall be made publicly available on the State
21 Textbook Committee website.

22 I. After a final textbook list is published, the State Textbook
23 Committee may determine that unusual or extraordinary circumstances
24 exist in a particular subject area during the period for which

1 textbooks have been selected for that subject area. Unusual or
2 extraordinary circumstances shall include, but not be limited to,
3 significant new techniques of teaching in a particular subject area
4 or significant new findings or discoveries in a particular subject
5 area. Upon a determination by three-fourths (3/4) of the members of
6 the State Textbook Committee that unusual or extraordinary
7 circumstances exist in a particular subject area, the Committee may
8 select one or more textbooks in that subject area for the remainder
9 of the adoption period.

10 J. The State Department of Education shall house the website of
11 the State Textbook Committee on its agency website.

12 K. Five or more district boards of education may petition the
13 State Board of Education to add a book or series of textbooks to the
14 approved list selected by the State Textbook Committee.

15 L. Textbooks selected by the Committee shall be accurate,
16 objective, balanced, noninflammatory, current, suited to the needs
17 of students and their ability to comprehend the material presented,
18 and free from material described in Section 1021 of Title 21 of the
19 Oklahoma Statutes or pornographic or obscene material as the term is
20 used in Section 1021.2 of Title 21 of the Oklahoma Statutes.

21 M. The State Board of Education shall promulgate rules to
22 implement the method and time frame for handling the petitions in
23 the most expeditious manner.

1 SECTION 4. AMENDATORY 70 O.S. 2021, Section 16-111, is

2 amended to read as follows:

3 Section 16-111. A. Except as otherwise provided for in
4 subsection E of this section, the superintendent of schools of each
5 school district in the state shall appoint a local textbook
6 committee consisting of not fewer than ~~three~~ four nor more than ~~nine~~
7 twelve members. Each committee shall have ~~one lay member~~ four
8 parents or legal guardians of students enrolled in the school
9 district, with the remainder of the members being teachers employed
10 in the public schools of the district, a majority of whom shall be
11 classroom teachers. The superintendent of schools or a designee who
12 shall be a principal or a curriculum specialist shall serve as
13 chairperson of the local textbook committee.

14 B. Upon the written request of any duly appointed local
15 textbook coordinator, the publisher of a textbook selected by the
16 State Textbook Committee shall furnish at least one examination copy
17 of the textbook and the teacher edition of the textbook, if one is
18 published, and a copy of software for purposes of complete
19 demonstration and review, if available, to the school district so
20 that the local textbook committee may examine any or all new
21 adoptions in the subjects taught or to be taught in schools in the
22 district.

23 C. Except as otherwise provided for in subsection E of this
24 section, on or before a date to be fixed by the State Board of

1 Education, each local textbook committee shall adopt textbooks only
2 from the list of textbooks selected by the State Textbook Committee
3 in a manner ~~as shall be~~ prescribed by the State Board of Education.
4 In order for the local textbook committee to adopt a textbook that
5 was not reviewed by the State Textbook Committee, the local textbook
6 committee shall conduct a review process in a manner prescribed by
7 the State Board of Education and using the same criteria provided
8 for in Section 16-102 of this title. Each local textbook committee
9 shall serve without compensation and shall cease to exist when local
10 adoptions have been completed and shall be replaced by another local
11 textbook committee appointed in the same manner as provided for in
12 this section.

13 D. Except as otherwise provided for in subsection E of this
14 section, on or before a date to be fixed by the State Board of
15 Education, the superintendent of each school district shall submit
16 to the State Board of Education a textbook plan outlining the
17 estimated number of textbooks needed by the school district and the
18 total amount of money to be expended by the district for textbooks
19 including the allocated funds and any additional supplemental funds
20 to be expended. The superintendent or textbook coordinator
21 appointed by the superintendent shall place orders from the proper
22 depository or depositories for all of the textbooks needed as
23 outlined in the textbook plan by the district for the ensuing year.
24 The superintendent of a school district or textbook coordinator may

1 order any textbooks placed on the official list of textbooks. If
2 the order exceeds the allocation for each school district as
3 provided in Section 16-114a of this title, any additional funds
4 expended shall be reported on the statement of expenditures for the
5 district.

6 E. 1. If a school district makes the election as provided for
7 in subsection B of Section 16-114a of this title, the district shall
8 not be required to appoint a local textbook committee, adopt
9 textbooks, submit a textbook plan, or expend money on the purchase
10 of textbooks during any fiscal year as provided for in this
11 subsection.

12 2. The provisions of paragraph 1 of this subsection shall cease
13 to be effective during the fiscal year which begins on the July 1
14 immediately succeeding the legislative session during which the
15 measure appropriating monies to the State Board of Education for the
16 financial support of public schools is enacted as law and such
17 appropriation amount is at least Fifty Million Dollars
18 (\$50,000,000.00) greater than the amount of money appropriated to
19 the State Board of Education for the financial support of public
20 schools for the fiscal year ending June 30, 2019. Provided, the
21 Fifty Million Dollars (\$50,000,000.00) shall not include any amount
22 of appropriations dedicated for support or certified employee salary
23 increases.

24 SECTION 5. This act shall become effective July 1, 2025.

1 SECTION 6. 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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