

1 STATE OF OKLAHOMA

2 1st Session of the 60th Legislature (2025)

3 SENATE BILL 62

By: Bergstrom

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5
6 AS INTRODUCED

7 An Act relating to schools; amending 70 O.S. 2021,
8 Section 3-129.11, which relates to the School
9 District Empowerment Program; updating statutory
10 language and references; removing language requiring
11 participating school districts to make certain
12 payroll deductions; removing obsolete language;
13 amending 70 O.S. 2021, Section 5-139, which relates
14 to school employee payroll deductions; prohibiting
15 school districts from making school employee payroll
16 deductions for professional organization dues and
17 political contributions; providing an effective date;
18 and declaring an emergency.

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

20 SECTION 1. AMENDATORY 70 O.S. 2021, Section 3-129.11, is
21 amended to read as follows:

22 Section 3-129.11. A. There is hereby established the School
23 District Empowerment Program which shall be administered by the
24 State Board of Education. The purpose of the program is to empower
25 locally elected school district board of education members to govern
26 school districts and make decisions based on the needs of their
27 students and circumstances.

1 B. 1. Subject to the provisions of this section, a school
2 district shall be allowed to submit a request to the State Board of
3 Education for an exemption from all statutory requirements and State
4 Board of Education rules from which charter schools are exempt, as
5 provided for in the Oklahoma Charter Schools Act. Any request for
6 exemption shall include a plan which outlines the goals sought to be
7 achieved at a minimum, ~~include~~ the educational and fiscal benefits,
8 and the anticipated impacts or outcomes the plan will have in the
9 district.

10 2. Within ninety (90) days after receiving the request and
11 plan, the State Board of Education shall approve or disapprove the
12 request. If the ~~State~~ Board does not approve the request, it shall
13 provide to the school district a written explanation of the basis
14 for its decision. The school district may resubmit an amended
15 request at any time after the denial. The request shall be approved
16 by the ~~State~~ Board before implementation by the school district. An
17 approved request and plan shall be for no longer than three (3)
18 years. Prior to the beginning of the third year, the school
19 district may apply for renewal of the approved request and plan.
20 The school district shall be required to submit an annual report and
21 the ~~State~~ Board shall annually assess the academic achievement and
22 fiscal status of the school district.

23 C. Nothing in this section shall prevent a school district
24 board of education from choosing to follow any or all state laws,

1 rules, or regulations from which a charter school is exempt. A
2 school district which has been granted approval by the State Board
3 for exemption as set forth in subsection B of this section shall
4 have the option to adopt policies to implement any requirement for
5 the school district that is consistent with any statutory
6 requirement ~~or~~, mandate, or State Board administrative rule, but a
7 participating school shall comply with the following requirements:

8 1. Students who reside in the school district shall be entitled
9 to attend school in the district as set forth in Section 1-114 of
10 this title;

11 2. School districts shall comply with the requirements of the
12 minimum salary schedule for teachers as set forth in ~~Section 18-~~
13 ~~114.12~~ 18-114.15 of this title;

14 3. Employees of school districts shall continue to participate
15 as members of the Teachers' Retirement System of Oklahoma as set
16 forth in Section 17-101 et seq. of this title;

17 4. School districts shall comply with the requirement to
18 provide a health insurance plan for school district employees as set
19 forth in Section 5-117.5 of this title and to establish or make
20 available to school district employees a cafeteria plan as set forth
21 in Section 26-104 of this title;

22 5. School districts shall require any person employed by the
23 school district to file with the district board of education a
24 current Oklahoma criminal history record check from the Oklahoma

1 State Bureau of Investigation as well as a national criminal history
2 record check as defined in Section 150.9 of Title 74 of the Oklahoma
3 Statutes. Each district shall adopt a policy regarding criminal
4 history record checks as set forth in Section 5-142 of this title;

5 6. School districts shall comply with the requirement to
6 evaluate teachers and to train personnel designated to conduct
7 personnel evaluations as set forth in Sections 6-101.10 and 6-101.11
8 of this title, the dismissal and due process procedures for
9 administrators as set forth in Sections 6-101.13 through 6-101.15 of
10 this title and the due process procedures for teachers as set forth
11 in Sections 6-101.21 through 6-101.26 of this title;

12 ~~7. School districts shall comply with the requirement to make~~
13 ~~payroll deductions for either or both professional organization dues~~
14 ~~and political contributions upon the request of an employee as set~~
15 ~~forth in Section 5-139 of this title;~~

16 ~~8.~~ School districts shall comply with the dismissal and due
17 process procedures for education support employees as set forth in
18 Sections 6-101.40 through 6-101.47 of this title;

19 ~~9.~~ 8. School districts shall employ as teachers, counselors,
20 librarians, school nurses, superintendents, principals, supervisors,
21 or any other instructional, supervisory, or administrative employee
22 only those persons who are certified by the State Board of Education
23 in accordance with the Oklahoma Teacher Preparation Act, except for
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1 persons exempt from the certification requirements as otherwise
2 provided by law;

3 ~~10.~~ 9. School districts shall provide for negotiations between
4 school employees and school districts as set forth in Sections 509.1
5 through 509.11 of this title;

6 ~~11.~~ 10. School districts shall be required to offer and
7 students enrolled in the school district shall be required to
8 complete the curriculum requirements as set forth in Section 11-
9 103.6 of this title;

10 ~~12. Students enrolled in the school district shall be required~~
11 ~~to demonstrate mastery of the state academic content standards as~~
12 ~~set forth in Section 1210.523 of this title; and~~

13 ~~13.~~ 11. Members of the school district board of education shall
14 be required to satisfy the instruction and continuing education
15 requirements as set forth in Sections 5-110, 5-110.1, and 5-110.2 of
16 this title.

17 SECTION 2. AMENDATORY 70 O.S. 2021, Section 5-139, is
18 amended to read as follows:

19 Section 5-139. School districts shall ~~make~~ be prohibited from
20 making payroll deductions for either or both professional
21 organization dues and political contributions ~~at the written request~~
22 ~~of any school employee and shall transmit deducted funds to the~~
23 ~~organization designated by the school district employee. Such~~
24 ~~deductions shall be on a ten-month basis unless otherwise designated~~

1 ~~by the employee organization. However, a school employee may~~
2 ~~request at any time in writing, including by email or fax, for the~~
3 ~~school district to immediately terminate or initiate payroll~~
4 ~~deductions to a professional organization. Upon receipt of any~~
5 ~~written request, the school district shall within five (5) business~~
6 ~~days or by the next pay period, whichever is earlier, terminate or~~
7 ~~initiate any future payroll deductions of the requesting school~~
8 ~~employee to a professional organization. Upon receipt of a written~~
9 ~~request, the school district shall notify the professional~~
10 ~~organization of the initiation or termination of payroll deductions~~
11 ~~within fifteen (15) business days. If the request is to terminate a~~
12 ~~deduction, the school district shall not make any advance payments~~
13 ~~to any professional organization of any future dues on behalf of the~~
14 ~~school employee. No school district policy or negotiated agreement~~
15 ~~shall place any other conditions or requirements, including but not~~
16 ~~limited to personal hand delivery, upon any employee to initiate or~~
17 ~~terminate any payroll deduction to a professional organization~~
18 ~~except for a written request as outlined in this section. Any~~
19 ~~school district policy or provision in a negotiated agreement that~~
20 ~~places additional conditions or requirements on initiation or~~
21 ~~termination beyond those outlined in this section shall be null and~~
22 ~~void. A school district which fails to terminate payroll deductions~~
23 ~~for an employee in accordance with this section shall immediately~~
24 ~~reimburse the employee the amount of all payroll deductions made by~~

1 ~~the school district after the employee's request, and the amount due~~
2 ~~the employee shall double every thirty (30) days until paid in full.~~

3 SECTION 3. This act shall become effective July 1, 2025.

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

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