

## Oath of Office

All public officers, according to the **Oklahoma Constitution, Article 15, Section 1**, before entering upon the duties of their offices, shall take and subscribe to the following oath or affirmation:

"I, . . . . . , do solemnly swear (or affirm) that I will support, obey, and defend the Constitution of the United States, and the Constitution of the State of Oklahoma, and that I will not, knowingly, receive, directly or indirectly, any money or other valuable thing, for the performance or nonperformance of any act or duty pertaining to my office, other than the compensation allowed by law; I further swear (or affirm) that I will faithfully discharge my duties as . . . . . to the best of my ability."



**Oklahoma State  
Textbook  
Committee**

**Chair**  
LINDEL FIELDS  
State Superintendent,  
Oklahoma State Department  
of Education

**Chair DESIGNEE**  
RONI MCKEE  
State Textbook Chair Designee

**Vice-Chair**

**MEMBERS**  
ZENA LEWIS  
Congressional District 1

SARAH MILLER  
Congressional District 1

LAUREN DEATON  
Congressional District 2

MARK STONE  
Congressional District 2

AMANDA MEADOWS  
Congressional District 3

TRACI RICHARDSON-  
MCVICKER  
Congressional District 3

ASHLEY LEMING  
Congressional District 4

KRYSTAL WILLIAMS  
Congressional District 4

DIANN MAGNUS  
Congressional District 5

MICHELLE REDUS  
Congressional District 5

TIFFANY EUSTACE  
At-Large

MICHELLE WAGNER  
At-Large

CAROLYNN BRISTOW  
Secretary

**STATE TEXTBOOK COMMITTEE (STC)**

Oklahoma State Department of Education; Oliver Hodge Building  
2500 North Lincoln Boulevard; Legal Conference Room, 500CR2  
Oklahoma City, Oklahoma 73105

**Meeting Agenda: June 5, 2026, at 10:00 a.m.**

1. **Call to Order** – Lindel Fields, State Textbook Chair
2. **Pledge of Allegiance, Salute to the Oklahoma State Flag, and Moment of Silence**
3. **Roll and Determination of Quorum** – Shanda Finnell, Administrative Assistant, Oklahoma State Department of Education
  - Determination of Quorum
4. **Welcome and Determination of Compliance with Open Meeting Act** – Lindel Fields, State Textbook Chair
  - Determine that the agenda was posted in compliance with the Open Meeting Act
5. **ACTION ITEM:** Discussion and possible action on minutes from February 6, 2026, regular meeting.
6. **WELCOME NEW MEMBERS:** New appointees – Lindel Fields, Chair, 70 O.S. 16-101; acknowledgment that all members have taken the oath of office and that oaths have been filed with the Secretary of State.
  - a) Michelle Wagner - At Large
  - b) Tiffany Eustace - At Large
  - c) Sarah Miller - District 1
  - d) Mark Stone - District 2
  - e) Amanda Meadows - District 3
  - f) Traci Richardson-McVicker - District 3
  - g) Krystal Williams – District 4
  - h) Michelle Redus - District 5
7. **ACTION ITEM:** Discussion and possible action to nominate and vote on the election of a State Textbook Committee Vice-Chair for one year. – Lindel Fields, Chair 70 O.S. 16-101; OAC 720:1-1-2(1); 720:1-1-3
8. **PRESENTATION (No action to be taken):** State Textbook Committee: overview and purpose presentation; Open Meeting Act: overview and ethics presentation – Carolynn Bristow, State Textbook Secretary; Kory Kile, Law Clerk 25 O.S. 301-304; OAC 720:1-1-5
9. **PRESENTATION (No action to be taken)** Travel reimbursement information and completion of forms – Shanda Finnell, Administrative Assistant, OSDE 70 O.S. 16-101
10. **ACTION ITEM:** Discuss and possible action to approve changes to two instructional materials rubrics and to approve the addition of another rubric for the current adoption cycle – Lindel Fields, Chair 70 O.S. 16-102(F); OAC 720:1-1-2(10)
  - a) Science Content Reading – New rubric
  - b) Social Studies – Change gateway 4
  - c) Social Studies Content Reading – Change gateway 4
11. **ACTION ITEM:** Discussion and possible action to approve a one-year contract extension of subject areas that were moved back due to adjustment to current cycle: PE, Health, and Vocational Education – Lindel Fields, Chair 70 O.S. 16-102 (B)
12. **PRESENTATION (No action to be taken):** presentation of justification statements from out-of-cycle publishers. 70 O.S. 16-102 (I)
  - a) PFL – PFL Academy grades 9-12
  - b) Early Childhood Education / SPED – Jigsaw Learning dba Teach Town



## Oklahoma State Textbook Committee

### Chair

LINDEL FIELDS  
State Superintendent,  
Oklahoma State Department  
of Education

### Chair DESIGNEE

RONI MCKEE  
State Textbook Chair Designee

### Vice-Chair

### MEMBERS

ZENA LEWIS  
Congressional District 1

SARAH MILLER  
Congressional District 1

LAUREN DEATON  
Congressional District 2

MARK STONE  
Congressional District 2

AMANDA MEADOWS  
Congressional District 3

TRACI RICHARDSON-  
MCVICKER  
Congressional District 3

ASHLEY LEMING  
Congressional District 4

Krystal Williams  
Congressional District 4

DIANN MAGNUS  
Congressional District 5

MICHELLE REDUS  
Congressional District 5

TIFFANY EUSTACE  
At-Large

MICHELLE WAGNER  
At-Large

CAROLYNN BRISTOW  
Secretary

13. **ACTION ITEM:** Discussion and possible action to approve the justification statements from the out-of-cycle publishers, which will allow the publishers to continue in the review cycle. 70 O.S. 16-102 (I)
14. **ACTION ITEM:** New Business - (not known about or which could not have been reasonably foreseen before the time of posting the agenda) – [25 O.S. § 311](#)
15. **ACTION ITEM:** Adjournment – Lindel Fields, State Textbook Chair



**MINUTES**  
**of the**  
**OKLAHOMA STATE TEXTBOOK COMMITTEE**

February 6, 2026

The Oklahoma State Textbook Committee (STC) held a Regularly Scheduled meeting beginning on Friday, February 6, 2026.

Committee Chair Designee Sharon Morgan called the meeting to order at 10:00 a.m.

The Committee led the Pledge of Allegiance, Salute to the Oklahoma State Flag, and observed a moment of silence.

Roll was called by Shanda Finnell.

Quorum was established by Shanda Finnell.

The committee members who were present:

Jay Rotert (Vice Chair)  
Zena Lewis  
Lauren Deaton  
Josh Allen  
Holly Helm  
Terry Brandenburg  
Ashley Leming  
Allison Kidney  
Committee Chair Designee Sharon Morgan

The committee members who were absent:

Jillian Anderson  
Diann Magnus  
Michael Bellew  
Stefanie Wittwer

Committee Chair Designee Sharon Morgan requested confirmation of the posted agenda in compliance with the Open Meeting Act. Shanda Finnell confirmed.

Agenda Item 5: Discussion and possible action on the minutes from the November 14, 2025, meeting. Josh Allen made a motion to accept the minutes of the November 14, 2025, meeting. Holly Helm seconded the motion. The vote was called. Yes – Nine (9) – Jay Rotert, Zena Lewis, Lauren Deaton, Josh Allen, Holly Helm, Terry Brandenburg, Ashley Leming, Allison Kidney, and Chair Designee Sharon Morgan. No – Zero (0). The motion passed.

Agenda Item 6: PRESENTATION (No action to be taken) Chair Designee Sharon Morgan presented certificates of appreciation to the following members completing their terms: Allison Kidney, Terry Brandenburg, Holly Helm, Jay Rotert, Diann Magnus, Michael Bellew.

Agenda Item 7: Discussion and possible action to nominate and vote on the election of a State Textbook Committee Vice-Chair for one year. 70 O.S. § 16-101; OAC 720:1-1-2(1); 720:1-1-3. Paper Ballots Cast: Nine (9) - Josh Allen; One (1) - Ashley Leming.

Allison Kidney made a motion to accept Josh Allen as the new Vice Chair. Josh Allen seconded the motion. The vote was called. Yes – Nine (9) – Jay Rotert, Zena Lewis, Lauren Deaton, Josh Allen, Holly Helm, Terry Brandenburg, Ashley Leming, Allison Kidney, and Chair Designee Sharon Morgan. No – Zero (0). The motion passed.

Agenda Item 8: PRESENTATION (No action to be taken) of substitution process, Carolynn Bristow 70 O.S. § 16-107(A-B), OAC 720:10-5-6(b). Carolynn Bristow presented information regarding the substitution process pursuant to 70 O.S. § 16-107(A-B) and OAC 720:10-5-6(b). No action was taken.

Agenda Item 9: Discussion and possible action to vote on the substitution materials submitted for review. 70 O.S. § 16-107(A-B), OAC 720:10-5-6(b)

- a) Alfred Music – digital only
- b) Art of Education – digital only
- c) Bedford, Freeman & Worth Publishing Group LLC – PK-12 Social Studies, PK-12 Math, 6-12 ELA, print and digital
- d) Benchmark Education Company – print and digital.

Josh Allen made a motion to approve all a) Alfred Music, b) Art of Education, c) Bedford, Freeman & Worth, and d) Benchmark Education substitution materials. Ashley Leming seconded the motion. The vote was called. Yes – Nine (9) – Jay Rotert, Zena Lewis, Lauren Deaton, Josh Allen, Holly Helm, Terry Brandenburg, Ashley Leming, Allison Kidney, and Chair Designee Sharon Morgan. No – Zero (0). The motion passed.

Agenda Item 10: PRESENTATION (No action to be taken) of instructional material rubrics for the next adoption cycle and the 2026 Content Expert Review Team application, Carolynn Bristow

Agenda Item 11: Discussion and possible action on the instructional material evaluation rubrics for: 70 O.S. § 16-102(F); OAC 720:1-1-2(10)

- a) Science
- b) Vocational Education
- c) PE
- d) Health.

Josh Allen made a motion to accept the rubrics for a) Science, b) Vocational Education, c) PE, and d) Health. Holly Helm seconded the motion. The vote was called. Yes – Nine (9) – Jay Rotert, Zena Lewis, Lauren Deaton, Josh Allen, Holly Helm, Terry Brandenburg, Ashley Leming, Allison Kidney, and Chair Designee Sharon Morgan. No – Zero (0). The motion passed.

Agenda Item 12: Discussion and action on the 2026 Content Expert Review Team application. 70 O.S. § 16-102; OAC 720:1-1-2(9). Josh Allen made a motion to approve the 2026 Content Expert Review Team application. Jay Rotert seconded the motion. The vote was called. Yes – Nine (9) – Jay Rotert, Zena Lewis,

Lauren Deaton, Josh Allen, Holly Helm, Terry Brandenburg, Ashley Leming, Allison Kidney, and Chair Designee Sharon Morgan. No – Zero (0). The motion passed.

Agenda Item 13: Discussion and action on Teaching Strategies re-evaluation to increase the rating from approaching to exemplifies. Holly Helm made a motion to change Teaching Strategies' existing rating from "Approaching" to "Exemplifies Quality." Allison Kidney seconded the motion. The vote was called. Yes – Nine (9) – Jay Rotert, Zena Lewis, Lauren Deaton, Josh Allen, Holly Helm, Terry Brandenburg, Ashley Leming, Allison Kidney, and Chair Designee Sharon Morgan. No – Zero (0). The motion passed.

Agenda Item 14: Discussion and action on the proposed 2026-27 amended Adoption Subject Cycle Calendar for the period for which contracts are entered into for subjects identified. OAC 720:10-1-2. Josh Allen made a motion that if the Board of Education approves the Social Studies standards, the amended Adoption Subject Cycle Calendar will take effect. Allison Kidney seconded the motion. The vote was called. Yes – Nine (9) – Jay Rotert, Zena Lewis, Lauren Deaton, Josh Allen, Holly Helm, Terry Brandenburg, Ashley Leming, Allison Kidney, and Chair Designee Sharon Morgan. No – Zero (0). The motion passed.

Josh Allen made a second motion that if the Board of Education does not approve the Social Studies standards, the currently approved Adoption Subject Cycle Calendar shall remain in full force and effect. Lauren Deaton seconded the motion. The vote was called. Yes – Nine (9) – Jay Rotert, Zena Lewis, Lauren Deaton, Josh Allen, Holly Helm, Terry Brandenburg, Ashley Leming, Allison Kidney, and Chair Designee Sharon Morgan. No – Zero (0). The motion passed.

Agenda Item 15: Discussion and action of the proposed 2026-27 amended State Textbook Committee Calendar, which adopts a schedule of events for the next fiscal year. OAC 720:1-1-2(3) and 1.1.5. Allison Kidney made a motion that if the Board of Education approves the Social Studies standards, the amended State Textbook Committee Calendar will take effect. Ashley Leming seconded the motion. The vote was called. Yes – Nine (9) – Jay Rotert, Zena Lewis, Lauren Deaton, Josh Allen, Holly Helm, Terry Brandenburg, Ashley Leming, Allison Kidney, and Chair Designee Sharon Morgan. No – Zero (0). The motion passed.

Allison Kidney made a second motion that if the Board of Education does not approve the Social Studies standards, the currently approved State Textbook Committee Calendar shall remain in full force and effect. Ashley Leming seconded the motion. The vote was called. Yes – Nine (9) – Jay Rotert, Zena Lewis, Lauren Deaton, Josh Allen, Holly Helm, Terry Brandenburg, Ashley Leming, Allison Kidney, and Chair Designee Sharon Morgan. No – Zero (0). The motion passed.

Agenda Item 16: New Business - (not known about or which could not have been reasonably foreseen before the time of posting the agenda) – 25 O.S. § 311. No new business.

Agenda Item 17: Adjournment of the February 6, 2026 STC meeting. Josh Allen made a motion to adjourn at 10:37 a.m. Holly Helm seconded the motion. The vote was called. Yes – Nine (9) – Jay Rotert, Zena Lewis, Lauren Deaton, Josh Allen, Holly Helm, Terry Brandenburg, Ashley Leming, Allison Kidney, and Chair Designee Sharon Morgan. No – Zero (0). The motion passed.

# *Voting Card*

State Textbook Vice Chair

*I would like to vote for . . .*

Lauren Deaton

Ashley Leming

Zena Lewis

Diann Magnus

# *Voting Card*

State Textbook Vice Chair

*I would like to vote for . . .*

Lauren Deaton

Ashley Leming

Zena Lewis

Diann Magnus

# Oklahoma State Textbook Committee Orientation

June 5, 2026



**OKLAHOMA**  
Education



# Purpose

The **primary purpose** of the Oklahoma State Textbook Committee (STC) is to ensure that public school students have access to high-quality instructional materials (HQIM) aligned with state academic standards.

*The Committee shall **approve textbooks or a series of textbooks** for each subject bid by publishers during a subject-cycle adoption period. **70 O.S. § 16-102***

# STC Expectations

- **Select textbooks** for PreK-12 subjects in Oklahoma public schools, with adoptions valid for up to six years.
- **Implement a review process** with subject matter experts using a standardized rubric, focusing on standards alignment and usability.
- **Adopt a final rating** for each textbook before adding it to the official approved list.
- **Publish** and distribute the **approved textbook list** annually, ensuring transparency and guidance for districts.

# Subject Adoption Cycle

## Adoption Year 2026

- PK-12 Social Studies
- PK-5 Social Studies Content Reading
- PK-12 Science
- PK-5 Science Content Reading

## Adoption Year 2025

- PK-12 Social Studies
- PK-5 Social Studies Content Reading
- Personal Financial Literacy

# Subject-Specific Reviews and Rubrics

## 2026 Adoption Cycle

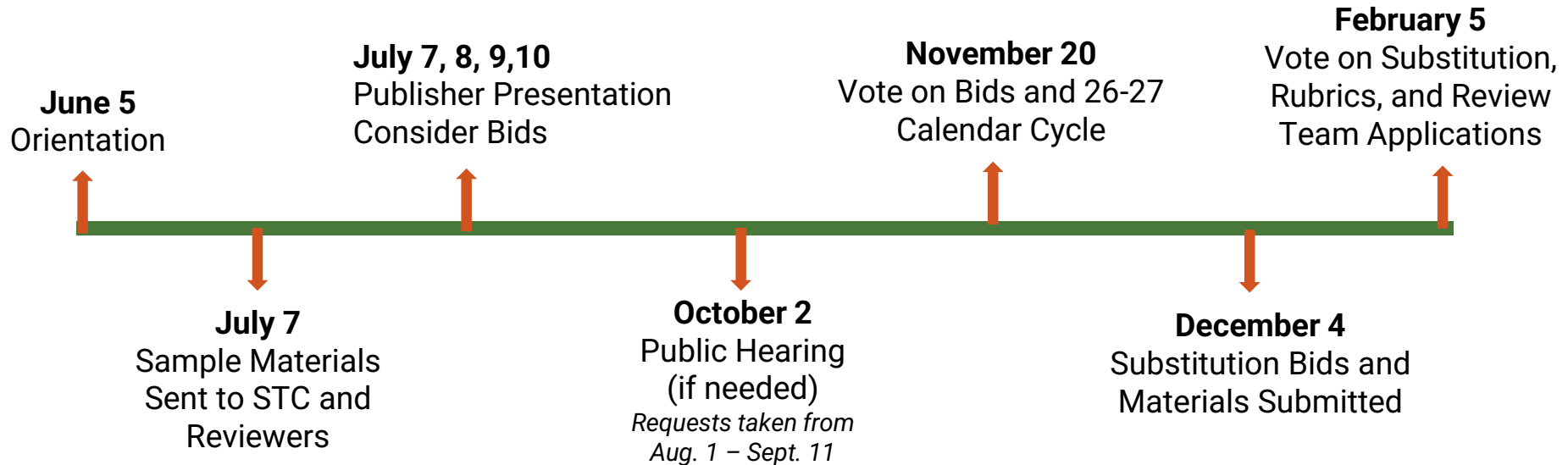
PK-12 Social Studies

PK-5 Social Studies Content Reading

Science

PK-5 Science Content Reading

# 2026-27 Calendar: Committee Meetings



# High-Quality Instructional Material Cycle

## MAR / APR

**March – April**

**March: Intent to Bid Opens**

- Memo sent to registered publishers and posted to OSDE site
- Intent to Bid closes in April
- Publishers receive Bid Packet

**April: Reviewer Applications**

- Applications posted on the OSDE site are shared via newsletters.
- Selected reviewers notified in late May

© 2018 State Textbook Committee Meeting

## MAY / JUN

**May - June**

**May: Review Teams Selected**

- Applicants are selected using a rubric.
- Teams are assigned and reviewers notified

**June: Bid Finalization & STC Orientation**

- Bid paperwork is due by the second Friday.
- Sample materials are sent out to STC members, content reviewers, and review centers (sites for public review of materials)
- STC orientation covers roles, timelines, and evaluation expectations

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## SEP / OCT

**September – October**

**September**

- Reviewers meet bi-weekly for consensus meetings.
- Public review sites are open statewide for public input.
- Public comment form is posted in early September

**October**

- A public hearing is held in early October.
- All public comments are submitted to the October meeting (if received)
- All evaluations are completed by the end of October
- Final scores and comments are compiled for the STC review

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## JULY / AUG

**July - August**

**July**

- Sample materials are due to STC members and reviewers.
- Content reviewers complete rubric training.
- Publisher Presentations (three days)

**August**

- STC members and content reviewers begin evaluating materials using the approved rubric.
- Reviewers meet bi-weekly for consensus meetings

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## NOV / DEC

**November - December**

**November**

- STC votes on instructional materials and the STC calendars.
- Final approval for instructional materials rests with the STC.
- Approved list is posted on the OSDE website and shared with districts through the admin. newsletter.

**December**

- Next cycle rubrics are started.
- Intent to Substitute notice is posted, and bids with sample materials are submitted.

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## JAN / FEB

**January - February**

**January**

- Deadline for Intent to Substitute and sample materials.
- Only STC members evaluate substitution bids.
- Oklahoma Educators Publisher Association (OPEA) Textbook Caravan held in January.

**February**

- STC votes: substitution bids, reviewer application, and rubrics.
- Contracts sent to approved publishers.
- HQIM cycle concludes after the February STC meeting

© 2018 State Textbook Committee Meeting

# March – April

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- A public hearing is held in early October.  
*\*If no public comments are submitted, the October meeting is canceled.*
- All evaluations are completed by the end of October.
- Final scores and comments are compiled for the STC review.

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# Content Review Teams

As required by **70 O.S. §16-102**, the State Department of Education and the State Textbook Committee approve an **application process** each year to form subject-specific **review teams**.

These teams of **subject matter experts** review all submitted materials using the **rubric** adopted by the State Textbook Committee.

# Content Review Teams 2026

Social Studies PK-2

Social Studies 3-5  
& Content Reading

Social Studies 6-8

Social Studies 9-12 Group 1

Social Studies 9-12 Group 2

Social Studies 9-12 Group 3

Science PK-2

Science 3-5 &  
Content Reading

Science 6-8

Science 9-12 Group 1

Science 9-12 Group 2

Science 9-12 Group 3

# Rubrics for Content Review Teams

The Committee, in consultation with the State Department of Education, **shall adopt a rubric for the review teams to use in** evaluating textbooks submitted for review.

The rubric shall contain a **three-tiered rating system**: the first tier shall be labeled "**Exemplifies Quality,**" the second tier shall be labeled "**Approaching Quality,**" and the third tier shall be labeled "**Not Representing Quality.**"

~ 70 O.S. § 16-102

# Social Studies Rubric

Review Summary			
Gateway	Criterion	Score	Rating
1: Alignment and Coherence	1.1 Alignment and Accuracy	_ / 14	
	1.2 Coherence	_ / 10	
	<b>Gateway 1 Subtotal</b>	<b>_ / 24</b>	
2: Practices and Assessments	2.1 Student Engagement in Practices	_ / 10	
	2.2 Assessments	_ / 18	
	<b>Gateway 2 Subtotal</b>	<b>_ / 28</b>	
3: Supports and Usability	3.1 Student Supports	_ / 10	
	3.2 Teacher Supports	_ / 10	
	3.2 Technology Usability	_ / 4	
	<b>Gateway 3 Subtotal</b>	<b>_ / 24</b>	
4: Statutory and Regulatory Fidelity	4.1 O.S. 24-157	YES / NO	
	4.2 OAC 720:10-5-3	YES / NO	
<b>Overall Rating</b> Exemplifies Quality: All Gateways are Exemplifies Quality. Approaching Quality: All Gateways are Approaching Quality or Better. Not Representing Quality: Any Gateway is Below Approaching Quality.		<b>Total Score</b>	<b>Final Rating</b>
		<b>__ / 76</b>	

# Social Studies Content Reading Rubric

Review Summary			
Gateway	Criterion	Score	Rating
1: Alignment and Coherence	1.1: Alignment and Accuracy	_ / 10	
	1.2: Coherence	_ / 8	
	Gateway 1 Subtotal	_ / 18	
2: Instructional Supports	2.1 Student Learning	_ / 8	
	2.2 Teacher Supports	_ / 6	
	2.3 Assessments	_ / 8	
	Gateway 2 Subtotal	/ 22	
3: Access and Technology	3.1 Access	_ / 8	
	3.2 Technology	_ / 4	
	Gateway 3 Subtotal	/ 12	
4: Statutory and Regulatory Fidelity	4.1 O.S. 24-157	YES / NO	
	4.2 OAC 720:10-5-3	YES / NO	
<b>Overall Rating</b> Exemplifies Quality: All Gateways Exemplifies Quality. Approaching Quality: All Gateways Approaching Quality or Better. Not Representing Quality: Any Gateway is Below Approaching Quality.		<b>Total Score</b>	<b>Final Rating</b>
		___ / 52	

# Science Rubric

Review Summary			
Gateway	Criterion	Score	Rating
1: Alignment and Coherence	1.1: Alignment and Accuracy	_ / 14	
	1.2: Coherence	_ / 14	
	Gateway 1 Subtotal	_ / 28	
2: Instructional Supports	2.1 Student Learning	_ / 8	
	2.2 Teacher Supports	_ / 8	
	2.3 Assessments	_ / 8	
	Gateway 2 Subtotal	_ / 24	
3: Access and Technology	3.1 Access	_ / 10	
	3.2 Technology	_ / 8	
	Gateway 3 Subtotal	_ / 18	
4: Statutory and Regulatory Fidelity	4.1 O.S. 24-157	YES / NO	
	4.2 OAC 720:10-5-3	YES / NO	
<b>Overall Rating</b> Exemplifies Quality: All Gateways Exemplifies Quality. Approaching Quality: All Gateways Approaching Quality or Better. Not Representing Quality: Any Gateway is Below Approaching Quality.		<b>Total Score</b>	<b>Final Rating</b>
		___ / 70	

# Science Content Reading Rubric

Review Summary			
Gateway	Criterion	Score	Rating
1: Alignment and Coherence	1.1: Alignment and Accuracy	_ / 10	
	1.2: Coherence	_ / 8	
	<b>Gateway 1 Subtotal</b>	<b>_ / 18</b>	
2: Instructional Supports	2.1 Student Learning	_ / 8	
	2.2 Teacher Supports	_ / 6	
	2.3 Assessments	_ / 8	
	<b>Gateway 2 Subtotal</b>	<b>/ 22</b>	
3: Access and Technology	3.1 Access	_ / 8	
	3.2 Technology	_ / 4	
	<b>Gateway 3 Subtotal</b>	<b>/ 12</b>	
4: Statutory and Regulatory Fidelity	4.1 O.S. 24-157	YES / NO	
	4.2 OAC 720:10-5-3	YES / NO	
<b>Overall Rating</b> Exemplifies Quality: All Gateways Exemplifies Quality. Approaching Quality: All Gateways Approaching Quality or Better. Not Representing Quality: Any Gateway is Below Approaching Quality.		<b>Total Score</b>	<b>Final Rating</b>
		<b>___ / 52</b>	

# Content Review Team Timeline

Receive training on the evaluation process & best practices for evaluating.

**July**

Conduct instructional materials reviews & attended team consensus meetings.

**August - November**

Gateway 1: End of August

Gateway 2: Mid September

Gateway 3: Mid October

# STC's 12 Criteria for Textbook Review

As the STC evaluates the instructional materials, 12 criteria should be considered. **OAC 720:10-5-3**

**STC's 12 Criteria PDF**

# Adoption of Textbooks - 1

- The Committee, having verified that the review process has been conducted in a scrupulous and fair manner, **shall adopt a final rating for each textbook** before including it on the required textbook list.
- The Committee shall ***consider***, but not be required to **accept, the recommended rating** of the review teams.

# Adoption of Textbooks - 2

- The **books selected for adoption** shall be those which the Committee rates as **"Exemplifies Quality"** or **"Approaching Quality."** ~ 70 O.S. § 16-104
- Committee votes upon rubric results for each program and/or grade level.
- The **final approval list** and rubric results are shared with district administrators on the **OSDE website** and in the **OSDE Admin Newsletter**.

# Contracts

- Standard **contracts** are drafted and circulated by OSDE.
- State-approved items are those in which the publishing company has contracted with Oklahoma to **ensure the lowest price** for districts and accessible formats for all Oklahoma learners.

**70 O.S. § 16-106**

# Out-of-Cycle Submissions - 1

*(70 O.S. §§ 16-102, 16-107; OAC 720:10-5-5)*

- Publishers submitting materials **outside the current adoption cycle** must provide a justification letter.
- The **STC** decides if the submission qualifies as an **unusual or extraordinary circumstance**.
- This requires a **3/4 majority vote** of the Committee.

# Out-of-Cycle Submissions - 2

- (70 O.S. §§ 16-102, 16-107; OAR 720:10-5-5)
- If accepted, the submission continues through the review process.
- If not accepted, the bid is pulled and does not proceed.
- Materials approved at the November meeting will have contracts valid for the remainder of the subject area's adoption period.

# Questions?

# Summary of Oklahoma's Open Meeting Act

*Title 25 O.S. §§ 301 – 314*

**Presented by:**

Kory L. Kile, Oklahoma State Department of Education  
Office of Legal Services



**OKLAHOMA**  
Education



# Open Meeting Act Overview

- Purpose
- When OMA applies?
- Times and places of meetings.
- Types of meetings.
- Agendas and Minutes.
- Executive Sessions.
- Violations of the OMA.

# Purpose of the Open Meeting Act

- Encouraging citizens to know more about public bodies, governmental processes, and governmental problems.
- **Advance notice ~ Agenda ~ Minutes**
  - Meeting in a centralized, accessible location for citizens to come and watch government in action.
- **Convenient times & places**

# WHEN THE OMA APPLIES?

***Conduct of business of a public body by a majority of its members being personally together or, as authorized by Section 307.1 of this title, together pursuant to a videoconference. Meeting shall not include informal gatherings of a majority of the members of a public body when no business of the public body is discussed.***

# WHEN THE OMA APPLIES? - 1

## POST-MEETING MEAL OR COFFEE

- Public body comprising of Charlie, Mac, Dennis, Deandra, and Frank has a properly noticed meeting in accordance with the Open Meeting Act.
- The meeting adjourns at lunchtime. Charlie, Dennis, and Mac decide to grab lunch afterwards. While there, they decide to debrief.
- A meeting has occurred, and the OMA is violated.

**BEST PRACTICE** : A majority of a public body's members should not attend meals together.

# WHEN THE OMA APPLIES? - 2

## TEXTS, EMAILS, AND SOCIAL MEDIA

- Elaine sends an email to her fellow board members about an upcoming agenda item.
- Kramer has an opinion, and he smashes reply all.
- Infuriated, George also replies all to ask a question.
- Having an observation to share, Jerry decides to chime in and replies all.
- A meeting has occurred, and the OMA is violated.

# TIMES AND PLACES OF MEETINGS

- **SPECIFIED** times and places,
- **CONVENIENT** to the public,
- **OPEN** to the public, and
- Must provide advance notice (agenda).
- ***Rogers v. Excise Bd. of Greer Cnty.*** 1984 OK 95, 701 P.2d 754
  - Excise Bd. scheduled meeting to be held a legal holiday.
  - The meeting was held in a ***locked*** courthouse.
  - Court held that this was a willful violation of the OMA. It demonstrated a blatant or deliberate disregard by those who know or should know, if not a willful and purposeful violation of the OMA.

# TYPES OF MEETINGS



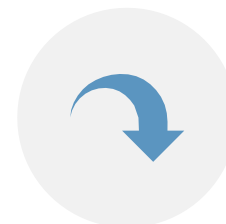
REGULARLY  
SCHEDULED  
MEETINGS



SPECIAL  
MEETINGS



EMERGENCY  
MEETINGS



CONTINUED OR  
RECONVENED  
MEETINGS

# AGENDAS AND MINUTES - 1

## WORDING THE AGENDA

- “Shall identify all items of business to be transacted by a public body at a meeting.”
- Must include any proposed executive session
- If executive session is proposed, public body must:
  - Contain sufficient information for public to know what the public body is going to discuss.
  - Identify items of business and purposes of executive session, and
  - State which provision under § 307 applies.
- Must be worded in plain language, directly stating the purpose of the meeting.
- Language used should be—
  - Simple,
  - Direct, and
  - Comprehensible to a person of ordinary education and intelligence.

# AGENDAS AND MINUTES - 2

## MINUTES

- Must be written and taken by a designated person.
- Minutes are an **official summary** of the proceedings—Must show who is present and absent, matters considered, and actions taken (**2012 OK AG 24**);
- Shall be open for inspection, and
- Shall reflect the manner and time of notice required under the OMA.
- Minutes must be taken in executive session. **Berry v. Bd. of Governors of Registered Dentists**, 1980 OK 45, 611 P.2d 628.
- State law does not require minutes to be approved.

# AGENDAS AND MINUTES 3

## TAKING ACTION

- May only take action on agenda items that indicate or provide for action to be taken.
- Votes of each member of a public body: must be publicly cast **and** recorded.
- If the vote is either not publicly cast or not recorded, the action taken is invalid. ***Oldham v. Drummond Bd. of Educ.***, 1975 OK 147, 542 P.2d 1309.

# VIOLATIONS OF THE ACT

## CIVIL REMEDY

- Actions taken in willful violation are *invalid*.
- Minutes of executive session will be made public when OMA is violated.
- **Any person** can bring civil action. Successful party is entitled to reasonable attorney fees.

## CRIMINAL PENALTIES

- Any willful violation, if convicted, is a **misdemeanor** , and is punishable by:
  - Fine up to \$500,
  - One (1) year in the county jail, or
  - Both.

## WILLFULNESS

- “Willfulness does not require a showing of bad faith, malice, or wantonness, but rather, encompasses *conscious, purposeful violations of law or blatant or deliberate disregard of the law* by those who know, or should know . . . Notice of meetings of public bodies which are **deceptively vague** or *likely to mislead* constitute a willful violation.”

# OTHER CONSIDERATIONS

## OPEN RECORDS ACT AND ETHICS RULES

### OPEN RECORDS ACT:

- RECORD: A document created by, received by, under the authority of, or in the custody or possession of a public official, public body, or their representatives in connection with the transaction of public business, expenditure of public funds, administration of public property.
- Most electronic communications will not be subject to any privilege or confidentiality and are, broadly speaking, producible.
- It doesn't matter where an electronic communication is on a private or public device if it is a producible public record.
- It's a balancing act between efficiency and protecting governmental records from unwanted disclosure.
- Violation of the Act could be subject to civil suit and/or criminal penalties.

# THE END

**If you have a question regarding the applicability of or compliance with these Acts, please consult with a member of the Legal Services Division of the OSDE.**

# Questions on the OMA?

# Travel Reimbursement

**Presented by:**

Shanda Finnell, Administrative Assistant for  
Educational Materials



**OKLAHOMA**  
Education



# Travel Claim Process Overview

- Once a Supplier ID is received, a Travel Claim will be prepared on your behalf.
- The form will be sent through Adobe Sign for review and signature.
- Please review all information carefully before signing.

# Required Travel Claim Documents

- Travel Claim Form
- Travel Log
- Event Agenda
- Travel Map

**Examples provided within meeting documents.**

# Important Reminders

- Ensure all required documents are included before submission.
- Mileage reimbursement requires Trip Optimizer documentation.
- Review all information for accuracy prior to signing.

# Questions on Travel Reimbursement?

# **STC's Twelve Criteria for Textbook Review**

## **OAC 720:10-5-3**

- 1. Align with recognized curriculum standards for the subject area for which the materials have been submitted for adoption.**
- 2. Are objective in content and impartial interpretations, and do not encourage or condone civil disorder, social strife, or disregard for the law.**
- 3. Do not degrade, and where appropriate, teach high moral standards, including:**
  - Honesty;**
  - Respect for parents, teachers, and those properly in authority;**
  - The importance of the work ethic in achieving personal goals.**
  - The existence of absolute values of right and wrong.**
- 4. Emphasize the importance of the family as the core of American society and do not degrade the traditional roles of men and women, boys and girls**
- 5. Include the principles of the free enterprise system and the effectiveness of the system**
- 6. Are designed to foster the intellectual development of the child by providing instruction in reading, writing, and arithmetic, through centuries of academic endeavor, including an awareness of the religious and classical culture of the Western world and its significance to the preservation of the liberties of the American people**
- 7. Present balanced and factual treatments of controversial, political, and social movements without biased editorial judgments**
- 8. Do not promote illegal lifestyles or sexual behavior, sadistic or degrading behavior**
- 9. Do not include blatantly offensive language or illustrations**
- 10. Do not include violence for excitement, sensationalism, or as an excuse for relevance. If it appears in textbook content, violence shall be treated in the context of cause and consequence.**
- 11. Treat the subject of the historical origins of humankind in an objective and unbiased manner**
- 12. Do not invade the privacy of the pupils or pupils' parents**


## Travel Claim Process and Examples

Once you have received your Supplier ID, a Travel Claim will be prepared and issued to me on your behalf. I will complete your Travel Claim form and send it to your preferred email address via Adobe Sign for your review and signature following our meetings.

### **Enclosed you will find two Travel Claim examples:**


#### **1. Template with Highlighted Fields**

This example shows the specific fields on the Travel Claim form where your personal and travel information will be entered. The highlighted section at the bottom indicates where your signature is required.

 *Please review the form carefully and verify that all your information is accurate before signing.*

#### **2. Completed Travel Claim Example**

This example demonstrates a fully completed Travel Claim that meets all submission requirements.

 A complete Travel Claim packet should include:

- The Travel Claim Form
- Travel Log
- Event Agenda
- Travel Map

Please ensure all required documents are included and complete before you sign and submit your Travel Claim.



Date	Time	Nature of Business	Starting from- Complete Address City, State and Zip	Going to- Complete Address City, State and Zip	Toll Charge	Total Mileage
Traveler Name -	Your Name			Duty Station Address		
Your Home Address						

Print and include with travel claim if claiming  
Mileage reimbursement

OMES FORM 19  
Revised 1.2025

**OKLAHOMA**  
Travel Voucher

IS CAR GOV.  
OWNED?

YES \_\_\_\_\_  
NO XX

IS CLAIMANT A STATE  
OFFICIAL OR  
EMPLOYEE?

YES \_\_\_\_\_  
NO XX

**AGENCY BUSINESS  
UNIT**

CLAIM OF: Your Name  
Vendor I.D. #: Number

FOR AGENCY USE: TEXTBOOK COMMITTEE

Address: Your Address

IN-STATE		OUT-OF-STATE	
OBJECT ACCT	AMOUNT	OBJECT ACCT	AMOUNT
521110 Mileage		521210 Mileage	
521120 Per Diem		521220 Transp	
521130 Public Trans		521230 Per Diem	
521140 Misc		521240 Local Trans	
521150 Lodging		521250 Misc.	
		521260 Lodging	
NON-EMPLOYEE			
521310 All Travel	141.08		
		Sub-Total	\$
Sub-Total	\$	Total Amount	141.08

FOR  
**\$141.08**  
AGAINST  
Agency, Bd.,  
Comm., Dept.  
**ASSIGNMENT**  
I hereby assign this claim to  
and authorize the State Treasurer to issue a warrant in payment to said assignee.

DUTY STATION:  
Address

NATURE OF OFFICIAL BUSINESS:  
TEXTBOOK COMMITTEE MEETING  
Friday, June 6, 2025

Claimant Signature & Date  
Notes  
**PREPARED BY:**  
SHANDA FINNELL

Show city/town point travel status began, each point visited and the point travel status ended. (For mileage - see below)	Year <u>2025</u>		Mileage Claimed	Meals Provided			Per Diem			Lodging Amount
	Mo.	Day		Breakfast	Lunch	Dinner	Rate	Base	Meals	
Lawton/OKC/Lawton	6	6	190.00							0.00
										0.00
										0.00
										0.00
										0.00
										0.00
										0.00
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										0.00
										0.00
										0.00
										0.00
										0.00
<b>Mileage Instructions:</b> For detailed mileage (addresses, odometer readings) please use Page Two of the OMES Form 19.	TOTAL MILES		190.00				PER DIEM TOTAL			0.00
	RATE (PER MILE)		\$0.70				LODGING TOTAL			0.00
			\$ 133.00	*MILEAGE TOTAL AFTER TRIP OPTIMIZER ADJUSTMENT						133.00

Trip Optimizer Used for Mileage Comparison  Exempt from Trip Optimizer  (Place 'X' in appropriate box per Title 74, § 85.451)  
T.O. Adjust  \* Must be lowest amount from the Trip Optimizer results. (Multiple trips total if necessary)  
**>>MUST ATTACH COPY OF TRIP OPTIMIZER RESULTS TO THE VOUCHER. (ALSO, UNAVAILABILITY NOTICE OF RENTAL CAR) <<**  
**>>For accurate results the optimizer calculation must be performed prior to trip <<**

Notes:

ITEMIZED LOCAL TRANSPORTATION	ITEMIZED MISCELLANEOUS COSTS	Direct Agency Purchase(P-Card)	
TAXI:	REGISTRATION FEE:	Hotel:	Airfare:
SHUTTLE:	TELEPHONE:		
RENTAL CAR:	PARKING:	TOTAL ITEMIZED MISC.	8.08
OTHER LOCAL TRANSP:	TOLLS: \$8.08	TOTAL LOCAL TRANSP.	0.00
PUBLIC TRANSPORT:	OTHER MISC. COSTS:	<b>TOTAL CLAIM AMOUNT</b>	<b>141.08</b>

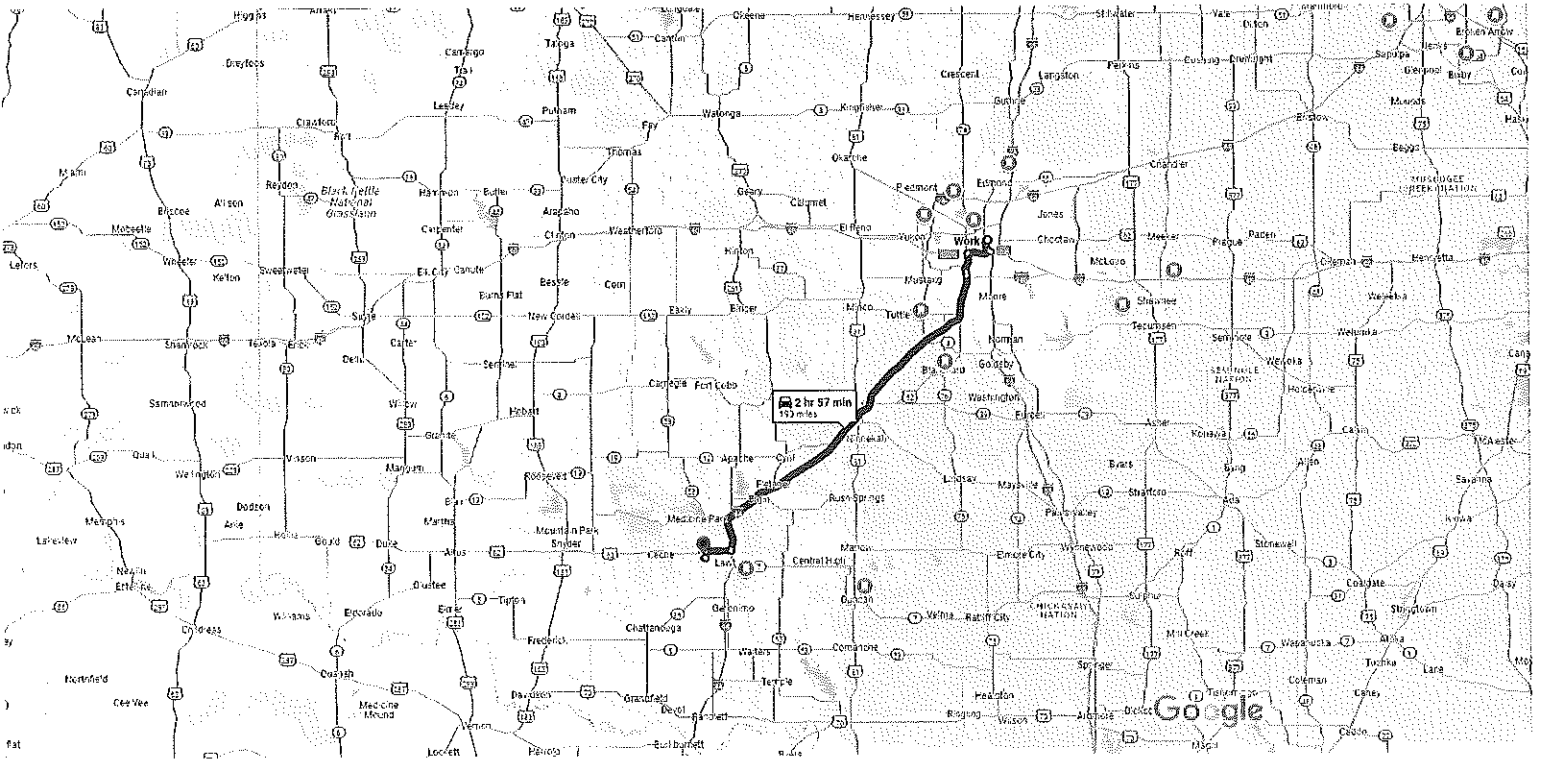
I, Name, by signing here do under penalty of perjury, declare that the information contained in this document and any attachments are true and correct to the best of my knowledge and belief.

\_\_\_\_\_  
Claimant Signature Date



\_\_\_\_\_  
Manager's Approval Signature (if required) Date

Date	Nature of Business	Starting from- Complete Address City, State and Zip	Going to- Complete Address City, State and Zip	Toll Charge	Total Mileage
6/6/25	Textbook Committee Meeting	7219 NW Cherry Cir, Lawton, OK 73505	2500 N Lincoln Blvd, OKC, OK 73105	\$4.04	95.00
6/6/25	Home from TBC Meeting	2500 N Lincoln Blvd, OKC, OK 73105	7219 NW Cherry Cir, Lawton, OK 73505	\$4.04	95.00
Traveler Name -	<i>Name</i>		Duty Station Address		
		<i>Address</i>			

Print and include with travel claim if claiming  
Mileage reimbursement



Map data ©2025 Google 10 mi

 via I-44 E 2 hr 57 min  
 2 hr 57 min without traffic 190 miles  
 This route has tolls.

Explore nearby 7219 NW Cherry Cir



Restaurants   Hotels   Gas stations   Parking Lots   More



## Oklahoma State Textbook Committee

### Chair

STATE SUPERINTENDENT  
RYAN WALTERS  
Oklahoma State Department of  
Education

### Chair DESIGNEE

KENDRA WESSON  
State Superintendent Chair  
Designee

### Vice-Chair

JAY ROTERT  
Congressional District 1

### MEMBERS

ZENA LEWIS  
Congressional District 1

JOSH ALLEN  
Congressional District 2

LAUREN DEATON  
Congressional District 2

JILLIAN ANDERSON  
Congressional District 3

HOLLY HELM  
Congressional District 3

TERRY BRANDENBURG  
Congressional District 4

ASHLEY LEMING  
Congressional District 4

ALLISON KIDNEY  
Congressional District 5

DIANN MAGNUS  
Congressional District 5

MICHAEL BELLEW  
At-Large

STEFANIE WITTWER  
At-Large

CAROLYNN BRISTOW  
Secretary

## STATE TEXTBOOK COMMITTEE (STC)

Oklahoma State Department of Education; Oliver Hodge Building  
2500 North Lincoln Boulevard; State Board Room, Suite 1-20  
Oklahoma City, Oklahoma 73105

**Meeting Agenda: June 6, 2025, at 10:00 a.m.**

1. **Call to Order** – Kendra Wesson, State Textbook Chair DESIGNEE.
2. **Pledge of Allegiance, Salute to the Oklahoma State Flag, and Prayer**
3. **Roll and Determination of Quorum** – Shanda Finnell, Administrative Assistant, Oklahoma State Department of Education
  - Determination of Quorum
4. **Welcome and Determination of Compliance with Open Meeting Act** – Kendra Wesson, State Textbook Chair DESIGNEE
  - Determine that the agenda was posted in compliance with the Open Meeting Act
5. **Administration of Oath of Office** – New committee members – Kendra Wesson, State Textbook Chair DESIGNEE
6. **ACTION ITEM:** Discussion and possible action on minutes from February 7, 2025.
7. **Welcome New Members** – New appointees – Kendra Wesson, State Textbook Chair DESIGNEE
  - a) Zena Lewis- District 1
  - b) Lauren Deaton – District 2
  - c) Jillian Anderson – District 3
  - d) Stefanie Witter – At-Large
8. **PRESENTATION (No action to be taken)** State Textbook Committee: Overview and Purpose Presentation –Carolynn Bristow, State Textbook Secretary
9. **PRESENTATION (No action to be taken)** Open Meeting Act Overview and Ethics Presentation – Michael Beason, General Counsel OSDE – Title 25 O.S. §§ 301-304
10. **PRESENTATION: (No action to be taken)** Complete Travel Reimbursement Information – Shanda Finnell, Administrative Assistant, Oklahoma State Department of Education
11. **ACTION ITEM:** Discussion and possible action to accept out-of-cycle justification so the publisher can continue or be removed from the high-quality instructional material evaluation cycle.
  - a) Early Education – Apple Tree Institute for Education
  - c) Computer Science – Pearson
12. **ACTION ITEM:** New Business - (not known about or which could not have been reasonably foreseen before the time of posting the agenda) – Title 25 O.S. § 311
13. **ACTION ITEM:** Adjournment- Kendra Wesson, State Textbook Chair DESIGNEE



# High-Quality Instructional Materials

OFFICE OF STANDARDS AND LEARNING  
PK-5 SCIENCE CONTENT READING / PUBLISHER

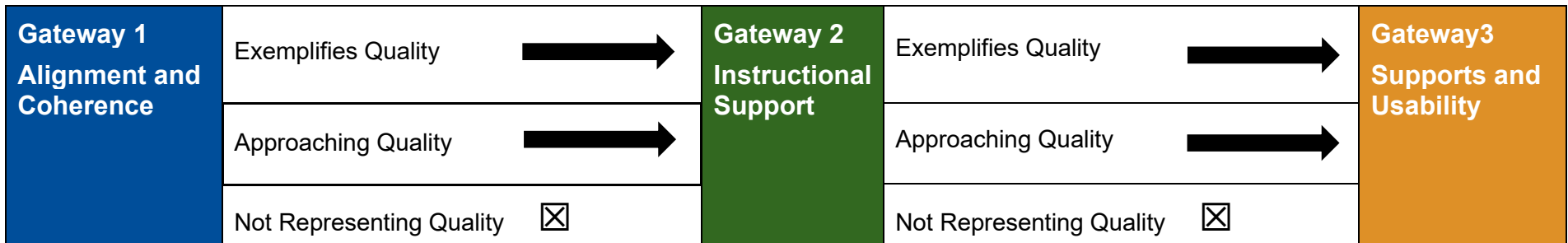


# Oklahoma Science Content Reading Instructional Materials Evaluation Rubric

Instructional materials selection is an important district decision, and conducting a thorough review of instructional materials at the local level is essential in ensuring the adoption of high-quality instructional materials that meet the needs of students within a district. This evaluation rubric is designed to offer an evaluation that districts can utilize to determine how well instructional materials align with the Oklahoma Academic Standards for Science (OAS-S) and other criteria for high-quality instructional materials for Science content reading. The evaluation rubric includes key considerations for high-quality instructional materials and outlines three **Gateways** for evaluating materials. Each Gateway provides a **criterion**, related **indicators**, and **guiding/key questions**. Additionally, **priority indicators** are indicated with an asterisk (\*) as they have been deemed most essential to a quality program. Each **indicator** is evaluated as Not Representing Quality, Approaching Quality, or Exemplifies Quality using a 0-1-2 or 0-2-4 scale score.

All scores should be based on evidence directly observed in the instructional materials, not inferences. The evaluation rubric helps reviewers determine whether the materials meet the quality thresholds for each Gateway. If the materials meet the thresholds for **Exemplifies Quality** or **Approaching Quality** for a Gateway, reviewers proceed to the next Gateway. If the materials do not meet these thresholds, reviewers stop and do not advance to the next Gateway.

**Gateway 4** ensures alignment with Oklahoma Statutes (70 O.S. § 24-157) and the Oklahoma Administrative Code (OAC 720:10-5-3).



Title of Material		Grade(s) Evaluated	
Publisher		Reviewer	

# Review Summary

Gateway	Criterion	Score	Rating
<b>1: Alignment and Coherence</b>	1.1: Alignment and Accuracy	_ / 10	
	1.2: Coherence	_ / 8	
	<b>Gateway 1 Subtotal</b>	<b>_ / 18</b>	
<b>2: Instructional Supports</b>	2.1 Student Learning	_ / 8	
	2.2 Teacher Supports	_ / 6	
	2.3 Assessments	_ / 8	
	<b>Gateway 2 Subtotal</b>	<b>/ 22</b>	
<b>3: Access and Technology</b>	3.1 Access	_ / 8	
	3.2 Technology	_ / 4	
	<b>Gateway 3 Subtotal</b>	<b>/ 12</b>	
<b>4: Statutory and Regulatory Fidelity</b>	4.1 O.S. 24-157	YES / NO	
	4.2 OAC 720:10-5-3	YES / NO	
<b>Overall Rating</b> Exemplifies Quality: All Gateways Exemplifies Quality. Approaching Quality: All Gateways Approaching Quality or Better. Not Representing Quality: Any Gateway is Below Approaching Quality.		<b>Total Score</b>	<b>Final Rating</b>
		<b>___ / 52</b>	

## Gateway 1: Alignment and Coherence

High-quality instructional materials are aligned and coherent for **Science Content Reading** and grade levels. Educators determine the Gateway rating by analyzing evidence from the instructional materials and scoring indicators tied to each criterion.

Gateway 1 Overview	Indicators	Available Points
<b>Criterion 1.1: Alignment and Accuracy</b> The materials support student learning associated with the content and skills of <b>Science Content Reading</b> and the grade levels under review.	<b>1a - 1c</b>	<b>10</b>
<b>Criterion 1.2: Coherence</b> The materials address the learning progressions associated with <b>Science Content Reading</b> , ensuring the curriculum is coherent within and across grade bands.	<b>1d – 1e</b>	<b>8</b>
<b>Total Points</b>		<b>18</b>

<b>Criterion 1.1 Alignment and Accuracy</b>		The instructional materials are aligned with the Oklahoma Academic Standards for Science, with emphasis on content reading.		
<b>Indicators</b>	<b>Guiding/Key Questions</b>	<b>Score</b>	<b>Comments</b>	
<b>*1a. Materials provide a sequence or collection of activities and texts that build content knowledge aligned with OAS-S, with an emphasis on content reading.</b>	Do the materials align with the content associated with OAS-S, which places an emphasis on content reading?	0 2 4 _ / 4		
<b>*1b. Materials align with OAS-S practices in critically reading informational sources.</b>	Do materials align with OAS-S practices for critical reading?	0 2 4 _ / 4		
<b>1c. Materials include a mixture of instructional strategies (e.g., discussions, modeling, student activities, projects, etc.) aligned to text.</b>	Do the materials allow for various instructional strategies within lessons and across the curriculum?	0 1 2 _ / 2		
<b>Criterion 1.1 Summary</b>		<b>Subtotal</b>	<b>Rating Levels</b>	<b>Rating</b>
		_ / 10	Exemplifies Quality: 8-10 Approaching Quality: 6-7 Not Represent Quality: 0-5	

<b>Criterion 1.2 Coherence</b>		The materials address the learning progressions associated with the subject area under review, ensuring that the curriculum is coherent within grades and across grade bands.		
<b>Indicators</b>	<b>Guiding/Key Questions</b>	<b>Score</b>	<b>Comments</b>	
<b>*1d. Materials provided can be completed within a typical school year with little to no modification.</b>	Is the amount of time for the curriculum identified and coherent?	0 2 4 _ / 4		
<b>*1e. Content is appropriate to the grade level and considers students' prior knowledge to incorporate this knowledge into the lesson and/or cover material not previously covered.</b>	Is content grade appropriate?  Does content incorporate student prior knowledge?	0 2 4 _ / 4		
<b>Criterion 1.2 Summary</b>		<b>Subtotal</b>	<b>Rating Levels</b>	<b>Rating</b>
		__ / 8	Exemplifies Quality: 7-8 Approaching Quality: 5-6 Not Represent Quality: 0-4	

Gateway 1 Points Available	Rating Levels	Gateway 1 Points Achieved	Gateway 1 Rating
<b>18</b>	Exemplifies Quality: 16-18	<b>___ / 18</b>	
	Approaching Quality: 11-15		
	Does Not Represent Quality: 0-10		
<b>Gateway 1 Comments</b>			

## Gateway 2: Instructional Support

Gateway 2 examines how materials support teachers in fully utilizing the curriculum and understanding their students' skills and learning. Educators determine the gateway rating by analyzing evidence from the instructional materials and scoring indicators tied to each criterion.

**❑ Materials must receive a score of Exemplifies Quality or Approaching Quality in Gateway 1 to be reviewed in Gateway 2.**

Gateway 2: Overview	Indicators	Available Points
<p><b>Criterion 2.1: Student Learning</b> The materials identify ways in which materials are designed for each student's regular and active participation in grade-level/grade band/series content.</p>	2a – 2b	8
<p><b>Criterion 2.2: Teacher Support and Supplemental Material</b> The materials include resources for teachers to plan and implement materials with integrity effectively and to develop their professional learning further.</p>	2c – 2e	6
<p><b>Criterion 2.3: Assessment</b> The materials provide tools, guidance, and support for teachers to collect, interpret, and act on data regarding student progress toward content and skill proficiency.</p>	2f – 2h	8
<b>Total Points</b>		<b>22</b>

<b>Criterion 2.1 Student Learning</b>		The materials identify ways in which materials are designed for each student's regular and active participation in grade-level/grade band/series content.		
<b>Indicators</b>	<b>Guiding/Key Questions</b>	<b>Score</b>	<b>Comments</b>	
<b>*2a. Materials provide appropriate levels and types of scaffolding, differentiation, intervention, and support for a broad range of learners.</b>	Do materials support strategies for meeting a range of learner needs? <ul style="list-style-type: none"> <li>• Supports different linguistic backgrounds.</li> <li>• Provides extra support for students working below grade level and extensions for those working above grade level.</li> </ul>	0 2 4 _ / 4		
<b>*2b. Materials within each lesson provide multiple representations by adapting for various types of learners using alternatives to reading, writing, listening, and speaking, such as translations, pictures, or graphic organizers.</b>	Do materials provide multiple representations for different types of learners?  Do materials offer alternatives like translations, pictures, or graphic organizers?	0 2 4 _ / 4		
<b>Criterion 2.1 Summary</b>		<b>Subtotal</b>	<b>Rating Levels</b>	<b>Rating</b>
		__ / 8	<b>Exemplifies Quality: 7-8</b> <b>Approaching Quality: 5-6</b> <b>Not Represent Quality: 0-4</b>	

<b>Criterion 2.2 Teacher Supports and Supplemental Materials</b>		The materials include resources for teachers to plan and implement materials with integrity effectively and to develop their professional learning further.		
<b>Indicators</b>	<b>Guiding/Key Questions</b>	<b>Score</b>	<b>Comments</b>	
<b>2c. Materials and resources are educational and accessible for teachers with differing levels of content knowledge.</b>	Do the materials include features (glossaries, footnotes, recordings, pictures, etc.) that aid teachers (and students) in effectively using them?	0 1 2 _ / 2		
<b>2d. Materials contain teacher support for presenting the content with ample and useful annotations and suggestions</b>	Are there overview sections and/or annotations that contain narrative information about the content that will assist the teacher in presenting the student material?	0 1 2 _ / 2		
<b>2e. Materials should list all lessons in the teacher's edition in print or digital format, with estimated instructional times for each lesson, chapter, and unit, acting as a pacing guide.</b>	Is there clear documentation that provides estimated instructional time for lessons/chapters/units/topics?	0 1 2 _ / 2		
<b>Criterion 2.2 Summary</b>		<b>Subtotal</b>	<b>Rating Levels</b>	<b>Rating</b>
		<b>— / 6</b>	<b>Exemplifies Quality: 6 Approaching Quality: 4-5 Not Represent Quality: 0-3</b>	

<b>Criterion 2.3 Assessment</b>		The materials provide teachers with tools, guidance, and support for collecting, interpreting, and acting on data regarding student progress toward content and skill proficiency.		
<b>Indicators</b>	<b>Guiding/Key Questions</b>	<b>Score</b>	<b>Comments</b>	
<b>*2f. Materials provide strategies for gathering information on students' prior knowledge and skills across grade levels.</b>	Do materials provide strategies to gather information on students' prior knowledge and skills?	0 2 4 _ / 4		
<b>2g. The assessment materials include embedded assessments that reflect various knowledge and skill levels.</b>	Do materials include assessments that reflect a variety of knowledge levels?	0 1 2 _ / 2		
<b>2h. Varied models of formative assessments (performance-based tasks, questions, projects, and self-assessment) are embedded into the content materials and assess the learning targets.</b>	Do the materials include multiple types of formative assessments?	0 1 2 _ / 2		
<b>Criterion 2.3 Summary</b>		<b>Subtotal</b>	<b>Rating Levels</b>	<b>Rating</b>
		— / 8	Exemplifies Quality: 7-8 Approaching Quality: 5-6 Not Represent Quality: 0-4	

Gateway 2 Points Available	Rating Levels	Gateway 2 Points Achieved	Gateway 2 Rating
<b>22</b>	Exemplifies Quality: 18-22	<b>/ 22</b>	
	Approaching Quality: 12-17		
	Does Not Represent Quality: 0-11		
<b>Gateway 2 Comments</b>			

## Gateway 3: Access and Technology

Gateway 3 examines how schools can use digital resources to support teaching and learning in various ways. Educators determine the gateway rating by analyzing evidence from the instructional materials and scoring indicators tied to each criterion.

❑ **Materials must receive a score of Exemplifies Quality or Approaching Quality in Gateway 2 to be reviewed in Gateway 3.**

Gateway 3: Overview	Indicators	Available Points
<b>Criterion 3.1: Access</b> Materials are easily accessible to all learners, offering clear pathways for engagement and supporting diverse needs and abilities.	<b>3a-3c</b>	<b>8</b>
<b>Criterion 3.2: Technology</b> Materials integrate digital technology and interactive tools, when appropriate, to support student engagement and enhance learning.	<b>3d-3e</b>	<b>4</b>
<b>Total Points</b>		<b>12</b>

<b>Criterion 3.1 Access</b>		<b>Materials are easily accessible to all learners, offering clear pathways for engagement and supporting diverse needs and abilities.</b>		
<b>Indicators</b>	<b>Guiding/Key Questions</b>	<b>Score</b>	<b>Comments</b>	
<b>*3a. Materials integrate technology such as interactive tools and/or virtual manipulatives/objects in ways that engage students in the grade-level content and skills, when applicable.</b>	Do the materials integrate digital technology and interactive tools in ways that support student engagement in content?	0 2 4 _ / 4		
<b>3b. The visual design (whether in print or digital) supports students in engaging thoughtfully with the subject and is neither distracting nor chaotic.</b>	Does the visual design support student learning and engagement without being visually distracting?	0 1 2 _ / 2		
<b>3c. Materials provide teacher guidance for using embedded technology to support and enhance student learning, when applicable.</b>	Do the materials guide teachers in using embedded technology to support and enhance student learning?	0 1 2 _ / 2		
<b>Criterion 3.1 Summary</b>		<b>Subtotal</b>	<b>Rating Levels</b>	<b>Rating</b>
		_ / 8	Exemplifies Quality: 7-8 Approaching Quality: 5-6 Not Represent Quality: 0-4	

<b>Criterion 3.2 Technology</b>		<b>Materials integrate digital technology and interactive tools, when appropriate, to support student engagement.</b>		
<b>Indicators</b>	<b>Guiding/Key Questions</b>	<b>Score</b>	<b>Comments</b>	
<b>3d. Interactive material is purposeful and directly related to learning.</b>	Is the interactive material directly related to learning?	0 1 2 _ / 2		
<b>3e. Based on the information provided, the materials meet all public schools' privacy and data security requirements, including compliance with federal laws like FERPA and COPPA, Oklahoma's Student Data Accessibility, Transparency, and Accountability Act, and other relevant state regulations.</b>	Do materials provide privacy and data security protocols for usage?	0 1 2 _ / 2		
<b>Criterion 3.2 Summary</b>		<b>Subtotal</b>	<b>Rating Levels</b>	<b>Rating</b>
		_ / 4	Exemplifies Quality: 4 Approaching Quality: 2-3 Not Represent Quality:0-1	

<b>Gateway 3 Points Available</b>	<b>Rating Levels</b>	<b>Gateway 3 Points Achieved</b>	<b>Gateway 3 Rating</b>
<b>12</b>	Exemplifies Quality: 10-12	<b>_ / 12</b>	
	Approaching Quality: 7-9		
	Does Not Represent Quality: 0-6		
<b>Gateway 3 Comments</b>			

## Gateway 4: Statutory and Regulatory Fidelity

High-quality instructional materials comply with Oklahoma statutory and regulatory requirements, including 70 O.S. §24-157 and OAC 720:10-5-3. Educators use evidence from instructional materials to determine whether they meet these legal requirements.

Gateway 4 Overview	Guiding Question	Available Points
<p><b>Criterion 4.1:</b> Materials align with Oklahoma statute 70 O.S. § 24-157</p> <p>Instructional materials do not teach or promote that any individual is inherently superior or inferior, morally defined, or responsible for the actions of others based on race or sex. Materials do not suggest that individuals should be discriminated against, feel guilt or distress, or that traits such as merit or work ethic are inherently racist or sexist.</p>	<p>Does the material comply with the statute?</p>	<p><b>YES / NO</b></p>
<p><b>Criterion 4.2:</b> Materials align with Oklahoma Administrative Code 720:10-5-3</p> <p>Instructional materials are factual, balanced, and objective, presenting content accurately without bias or partial interpretation. Materials do not promote civil disorder, illegal or immoral behavior, or disregard for authority; they respect high moral standards, the family unit, free enterprise principles, Western cultural and religious heritage, and the rights and privacy of students and families, while avoiding extraneous, offensive, or sensational content.</p>	<p>Does the material comply with the code?</p>	<p><b>YES / NO</b></p>



# High-Quality Instructional Materials

OFFICE OF STANDARDS AND LEARNING  
PK-5 SOCIAL STUDIES CONTENT READING / PUBLISHER

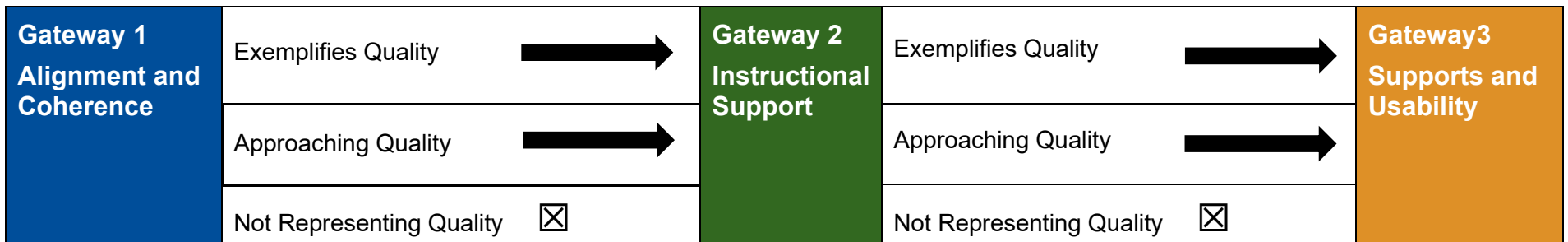


# Oklahoma Social Studies Content Reading Instructional Materials Evaluation Rubric

Instructional materials selection is an important district decision, and conducting a thorough review of instructional materials at the local level is essential in ensuring the adoption of high-quality instructional materials that meet the needs of students within a district. This evaluation rubric is designed to offer an evaluation that districts can utilize to determine how well instructional materials align with the Oklahoma Academic Standards for Social Studies (OAS-SS) and other criteria for high-quality instructional materials for social studies content reading. The evaluation rubric includes key considerations for high-quality instructional materials and outlines three **Gateways** for evaluating materials. Each Gateway provides a **criterion**, related **indicators**, and **guiding/key questions**. Additionally, **priority indicators** are indicated with an asterisk (\*) as they have been deemed most essential to a quality program. Each **indicator** is evaluated as Not Representing Quality, Approaching Quality, or Exemplifies Quality using a 0-1-2 or 0-2-4 scale score.

All scores should be based on evidence directly observed in the instructional materials, not inferences. The evaluation rubric helps reviewers determine whether the materials meet the quality thresholds for each Gateway. If the materials meet the thresholds for **Exemplifies Quality** or **Approaching Quality** for a Gateway, reviewers proceed to the next Gateway. If the materials do not meet these thresholds, reviewers stop and do not advance to the next Gateway.

**Gateway 4** ensures alignment with Oklahoma Statutes (70 O.S. § 24-157) and the Oklahoma Administrative Code (OAC 720:10-5-3).



Title of Material		Grade(s) Evaluated	
Publisher		Reviewer	

# Review Summary

Gateway	Criterion	Score	Rating
<b>1: Alignment and Coherence</b>	1.1: Alignment and Accuracy	_ / 10	
	1.2: Coherence	_ / 8	
	<b>Gateway 1 Subtotal</b>	<b>_ / 18</b>	
<b>2: Instructional Supports</b>	2.1 Student Learning	_ / 8	
	2.2 Teacher Supports	_ / 6	
	2.3 Assessments	_ / 8	
	<b>Gateway 2 Subtotal</b>	<b>/ 22</b>	
<b>3: Access and Technology</b>	3.1 Access	_ / 8	
	3.2 Technology	_ / 4	
	<b>Gateway 3 Subtotal</b>	<b>/ 12</b>	
<b>4: Statutory and Regulatory Fidelity</b>	4.1 O.S. 24-157	YES / NO	
	4.2 OAC 720:10-5-3	YES / NO	
<b>Overall Rating</b> Exemplifies Quality: All Gateways Exemplifies Quality. Approaching Quality: All Gateways Approaching Quality or Better. Not Representing Quality: Any Gateway is Below Approaching Quality.		<b>Total Score</b>	<b>Final Rating</b>
		<b>___ / 52</b>	

## Gateway 1: Alignment and Coherence

High-quality instructional materials are aligned and coherent for **Social Studies Content Reading** and grade levels. Educators determine the Gateway rating by analyzing evidence from the instructional materials and scoring indicators tied to each criterion.

Gateway 1 Overview	Indicators	Available Points
<b>Criterion 1.1: Alignment and Accuracy</b> The materials support student learning associated with the content and skills of <b>Social Studies Content Reading</b> and grade levels under review.	<b>1a - 1c</b>	<b>10</b>
<b>Criterion 1.2: Coherence</b> The materials address the learning progressions associated with <b>Social Studies Content Reading</b> so that the curriculum is coherent within grades and across grade bands.	<b>1d – 1e</b>	<b>8</b>
<b>Total Points</b>		<b>18</b>

<b>Criterion 1.1 Alignment and Accuracy</b>		The instructional materials are aligned with the Oklahoma Academic Standards for Social Studies, emphasizing content reading.		
<b>Indicators</b>	<b>Guiding/Key Questions</b>	<b>Score</b>	<b>Comments</b>	
<b>*1a. Materials provide a sequence or collection of activities and texts that build content knowledge aligned with OAS-SS, emphasizing content reading.</b>	Do the materials align with the content associated with OAS-SS, which emphasizes content reading?	0 2 4 _ / 4		
<b>*1b. Materials align with OAS-SS practices in critically reading informational sources.</b>	Do materials align with OAS-SS practices for critical reading?	0 2 4 _ / 4		
<b>1c. Materials include a mixture of instructional strategies (e.g., discussions, modeling, student activities, projects, etc.) aligned to text.</b>	Do materials allow various instructional strategies within the lessons and across the curriculum?	0 1 2 _ / 2		
<b>Criterion 1.1 Summary</b>		<b>Subtotal</b>	<b>Rating Levels</b>	<b>Rating</b>
		_ / 10	Exemplifies Quality: 8-10 Approaching Quality: 6-7 Not Represent Quality: 0-5	

<b>Criterion 1.2 Coherence</b>		The materials address the learning progressions associated with the subject area under review, ensuring that the curriculum is coherent within grades and across grade bands.		
<b>Indicators</b>	<b>Guiding/Key Questions</b>	<b>Score</b>	<b>Comments</b>	
<b>*1d. Materials provided can be completed within a typical school year with little to no modification.</b>	Is the amount of time for the curriculum identified and coherent?	0 2 4 _ / 4		
<b>*1e. Content is appropriate to the grade level and considers students' prior knowledge to incorporate this knowledge into the lesson and/or cover material not previously covered.</b>	Is content grade appropriate?  Does content incorporate student prior knowledge?	0 2 4 _ / 4		
<b>Criterion 1.2 Summary</b>		<b>Subtotal</b>	<b>Rating Levels</b>	<b>Rating</b>
		_ / 8	Exemplifies Quality: 7-8 Approaching Quality: 5-6 Not Represent Quality: 0-4	

Gateway 1 Points Available	Rating Levels	Gateway 1 Points Achieved	Gateway 1 Rating
<b>18</b>	Exemplifies Quality: 16-18	<b>___ / 18</b>	
	Approaching Quality: 11-15		
	Does Not Represent Quality: 0-10		
<b>Gateway 1 Comments</b>			

## Gateway 2: Instructional Support

Gateway 2 examines how materials support teachers in fully utilizing the curriculum and understanding their students' skills and learning. Educators determine the gateway rating by analyzing evidence from the instructional materials and scoring indicators tied to each criterion.

**❑ Materials must receive a score of Exemplifies Quality or Approaching Quality in Gateway 1 to be reviewed in Gateway 2.**

Gateway 2: Overview	Indicators	Available Points
<p><b>Criterion 2.1: Student Learning</b> The materials identify ways in which materials are designed for each student's regular and active participation in grade-level/grade band/series content.</p>	2a – 2b	8
<p><b>Criterion 2.2: Teacher Support and Supplemental Material</b> The materials include resources for teachers to plan and implement materials with integrity effectively and to develop their professional learning further.</p>	2c – 2e	6
<p><b>Criterion 2.3: Assessment</b> The materials provide tools, guidance, and support for teachers to collect, interpret, and act on data regarding student progress toward content and skill proficiency.</p>	2f – 2h	8
<b>Total Points</b>		<b>22</b>

<b>Criterion 2.1 Student Learning</b>		The materials identify ways in which materials are designed for each student’s regular and active participation in grade-level/grade band/series content.		
<b>Indicators</b>	<b>Guiding/Key Questions</b>	<b>Score</b>	<b>Comments</b>	
<b>*2a. Materials provide appropriate levels and types of scaffolding, differentiation, intervention, and support for a broad range of learners.</b>	Do materials support strategies for meeting a range of learner needs? <ul style="list-style-type: none"> <li>• Supports different linguistic backgrounds.</li> <li>• Provides extra support for students working below grade level and extensions for those working above grade level.</li> </ul>	0 2 4 _ / 4		
<b>*2b. Materials within each lesson provide multiple representations by adapting for various types of learners using alternatives to reading, writing, listening, and speaking, such as translations, pictures, or graphic organizers.</b>	Do materials provide multiple representations for different types of learners?  Do materials offer alternatives like translations, pictures, or graphic organizers?	0 2 4 _ / 4		
<b>Criterion 2.1 Summary</b>		<b>Subtotal</b>	<b>Rating Levels</b>	<b>Rating</b>
		_ / 8	<b>Exemplifies Quality: 7-8</b> <b>Approaching Quality: 5-6</b> <b>Not Represent Quality: 0-4</b>	

<b>Criterion 2.2 Teacher Supports and Supplemental Materials</b>		The materials include resources for teachers to plan and implement materials with integrity effectively and to develop their professional learning further.		
<b>Indicators</b>	<b>Guiding/Key Questions</b>	<b>Score</b>	<b>Comments</b>	
<b>2c. Materials and resources are educational and accessible for teachers with differing levels of content knowledge.</b>	Do the materials include features (glossaries, footnotes, recordings, pictures, etc.) that aid teachers (and students) in effectively using them?	0 1 2 _ / 2		
<b>2d. Materials contain teacher support for presenting the content with ample and useful annotations and suggestions</b>	Are there overview sections and/or annotations that contain narrative information about the content that will assist the teacher in presenting the student material?	0 1 2 _ / 2		
<b>2e. Materials should list all lessons in the teacher's edition in print or digital format, with estimated instructional times for each lesson, chapter, and unit, acting as a pacing guide.</b>	Is there clear documentation that provides estimated instructional time for lessons/chapters/units/topics?	0 1 2 _ / 2		
<b>Criterion 2.2 Summary</b>		<b>Subtotal</b>	<b>Rating Levels</b>	<b>Rating</b>
		<b>— / 6</b>	<b>Exemplifies Quality: 6 Approaching Quality: 4-5 Not Represent Quality: 0-3</b>	

<b>Criterion 2.3 Assessment</b>		The materials provide teachers with tools, guidance, and support for collecting, interpreting, and acting on data regarding student progress toward content and skill proficiency.		
<b>Indicators</b>	<b>Guiding/Key Questions</b>	<b>Score</b>	<b>Comments</b>	
<b>*2f. Materials provide strategies for gathering information on students' prior knowledge and skills across grade levels.</b>	Do materials provide strategies to gather information on students' prior knowledge and skills?	0 2 4 _ / 4		
<b>2g. The assessment materials include embedded assessments that reflect various knowledge and skill levels.</b>	Do materials include assessments that reflect a variety of knowledge levels?	0 1 2 _ / 2		
<b>2h. Varied models of formative assessments (performance-based tasks, questions, projects, and self-assessment) are embedded into the content materials and assess the learning targets.</b>	Do the materials include multiple types of formative assessments?	0 1 2 _ / 2		
<b>Criterion 2.3 Summary</b>		<b>Subtotal</b>	<b>Rating Levels</b>	<b>Rating</b>
		<b>— / 8</b>	<b>Exemplifies Quality: 7-8 Approaching Quality: 5-6 Not Represent Quality: 0-4</b>	

Gateway 2 Points Available	Rating Levels	Gateway 2 Points Achieved	Gateway 2 Rating
<b>22</b>	Exemplifies Quality: 18-22	<b>/ 22</b>	
	Approaching Quality: 12-17		
	Does Not Represent Quality: 0-11		
<b>Gateway 2 Comments</b>			

## Gateway 3: Access and Technology

Gateway 3 examines how schools can use digital resources to support teaching and learning in various ways. Educators determine the gateway rating by analyzing evidence from the instructional materials and scoring indicators tied to each criterion.

❑ **Materials must receive a score of Exemplifies Quality or Approaching Quality in Gateway 2 to be reviewed in Gateway 3.**

Gateway 3: Overview	Indicators	Available Points
<p><b>Criterion 3.1: Access</b> Materials are easily accessible to all learners, offering clear pathways for engagement and supporting diverse needs and abilities.</p>	<p><b>3a-3c</b></p>	<p><b>8</b></p>
<p><b>Criterion 3.2: Technology</b> Materials integrate digital technology and interactive tools, when appropriate, to support student engagement and enhance learning.</p>	<p><b>3d-3e</b></p>	<p><b>4</b></p>
<p><b>Total Points</b></p>		<p><b>12</b></p>

<b>Criterion 3.1 Access</b>		<b>Materials are easily accessible to all learners, offering clear pathways for engagement and supporting diverse needs and abilities.</b>		
<b>Indicators</b>	<b>Guiding/Key Questions</b>	<b>Score</b>	<b>Comments</b>	
<b>*3a. Materials integrate technology such as interactive tools and/or virtual manipulatives/objects in ways that engage students in the grade-level content and skills, when applicable.</b>	Do the materials integrate digital technology and interactive tools in ways that support student engagement in content?	0 2 4 _ / 4		
<b>3b. The visual design (whether in print or digital) supports students in engaging thoughtfully with the subject and is neither distracting nor chaotic.</b>	Does the visual design support student learning and engagement without being visually distracting?	0 1 2 _ / 2		
<b>3c. Materials provide teacher guidance for using embedded technology to support and enhance student learning, when applicable.</b>	Do the materials guide teachers in using embedded technology to support and enhance student learning?	0 1 2 _ / 2		
<b>Criterion 3.1 Summary</b>		<b>Subtotal</b>	<b>Rating Levels</b>	<b>Rating</b>
		_ / 8	Exemplifies Quality: 7-8 Approaching Quality: 5-6 Not Represent Quality: 0-4	

<b>Criterion 3.2 Technology</b>		<b>Materials integrate digital technology and interactive tools, when appropriate, to support student engagement.</b>		
<b>Indicators</b>	<b>Guiding/Key Questions</b>	<b>Score</b>	<b>Comments</b>	
<b>3d. Interactive material is purposeful and directly related to learning.</b>	Is the interactive material directly related to learning?	0 1 2 _ / 2		
<b>3e. Based on the information provided, the materials meet all public schools' privacy and data security requirements, including compliance with federal laws like FERPA and COPPA, Oklahoma's Student Data Accessibility, Transparency, and Accountability Act, and other relevant state regulations.</b>	Do materials provide privacy and data security protocols for usage?	0 1 2 _ / 2		
<b>Criterion 3.2 Summary</b>		<b>Subtotal</b>	<b>Rating Levels</b>	<b>Rating</b>
		_ / 4	Exemplifies Quality: 4 Approaching Quality: 2-3 Not Represent Quality:0-1	

<b>Gateway 3 Points Available</b>	<b>Rating Levels</b>	<b>Gateway 3 Points Achieved</b>	<b>Gateway 3 Rating</b>
<b>12</b>	Exemplifies Quality: 10-12	<b>_ / 12</b>	
	Approaching Quality: 7-9		
	Does Not Represent Quality: 0-6		
<b>Gateway 3 Comments</b>			

## Gateway 4: Statutory and Regulatory Fidelity

High-quality instructional materials comply with Oklahoma statutory and regulatory requirements, including 70 O.S. §24-157 and OAC 720:10-5-3. Educators use evidence from instructional materials to determine whether they meet these legal requirements.

Gateway 4 Overview	Guiding Question	Available Points
<p><b>Criterion 4.1:</b> Materials align with Oklahoma statute 70 O.S. § 24-157</p> <p>Instructional materials do not teach or promote that any individual is inherently superior or inferior, morally defined, or responsible for the actions of others based on race or sex. Materials do not suggest that individuals should be discriminated against, feel guilt or distress, or that traits such as merit or work ethic are inherently racist or sexist.</p>	<p>Does the material comply with the statute?</p>	<p><b>YES / NO</b></p>
<p><b>Criterion 4.2:</b> Materials align with Oklahoma Administrative Code 720:10-5-3</p> <p>Instructional materials are factual, balanced, and objective, presenting content accurately without bias or partial interpretation. Materials do not promote civil disorder, illegal or immoral behavior, or disregard for authority; they respect high moral standards, the family unit, free enterprise principles, Western cultural and religious heritage, and the rights and privacy of students and families, while avoiding extraneous, offensive, or sensational content.</p>	<p>Does the material comply with the code?</p>	<p><b>YES / NO</b></p>



# High-Quality Instructional Materials





OFFICE OF STANDARDS AND LEARNING  
PK-12 SOCIAL STUDIES / PUBLISHER



# Oklahoma Social Studies Instructional Materials Evaluation Rubric

Instructional materials selection is an important district decision, and conducting a thorough review of instructional materials at the local level is essential in ensuring the adoption of high-quality instructional materials that meet the needs of students within a district. This evaluation rubric is designed to offer an evaluation that districts can utilize to determine how well instructional materials align with the Oklahoma Academic Standards for Social Studies (OAS-SS) and other criteria for high-quality instructional materials for social studies. The evaluation rubric includes key considerations for high-quality instructional materials and outlines three **Gateways** for evaluating materials. Each Gateway provides **criterion** and related **indicators** along with **guiding/key questions**. Additionally, **priority indicators** are indicated with an asterisk (\*) as they have been deemed most essential to a quality program. Each **indicator** is evaluated as Not Representing Quality, Approaching Quality, or Exemplifies Quality using a 0-1-2 or 0-2-4 scale score.

All scores should be based on evidence directly observed in the instructional materials, not inferences. The evaluation rubric helps reviewers determine whether the materials meet the quality thresholds for each Gateway. If the materials meet the thresholds for **Exemplifies Quality** or **Approaching Quality** for the Gateway, reviewers proceed to the next Gateway. If the materials do not meet these thresholds, reviewers stop and do not advance to the next Gateway.

<b>Gateway 1</b> Alignment and Coherence	Exemplifies Quality 	<b>Gateway 2</b> Practices and Assessments	Exemplifies Quality 	<b>Gateway 3</b> Supports and Usability
	Approaching Quality 		Approaching Quality 	
	Not Representing Quality <input checked="" type="checkbox"/>		Not Representing Quality <input checked="" type="checkbox"/>	
<b>Title of Material</b>		<b>Grade(s) Evaluated</b>		
<b>Publisher</b>		<b>Reviewer</b>		

Review Summary			
Gateway	Criterion	Score	Rating
1: Alignment and Coherence	1.1 Alignment and Accuracy	_ / 14	
	1.2 Coherence	_ / 10	
	Gateway 1 Subtotal	_ / 24	
2: Practices and Assessments	2.1 Student Engagement in Practices	_ / 10	
	2.2 Assessments	_ / 18	
	Gateway 2 Subtotal	_ / 28	
3: Supports and Usability	3.1 Student Supports	_ / 10	
	3.2 Teacher Supports	_ / 10	
	3.2 Technology Usability	_ / 4	
	Gateway 3 Subtotal	_ / 24	
4: Statutory and Regulatory Fidelity	4.1 O.S. 24-157	YES / NO	
	4.2 OAC 720:10-5-3	YES / NO	
<b>Overall Rating</b> <b>Exemplifies Quality:</b> All Gateways are Exemplifies Quality. <b>Approaching Quality:</b> All Gateways are Approaching Quality or Better. <b>Not Representing Quality:</b> Any Gateway is Below Approaching Quality.		<b>Total Score</b>	<b>Final Rating</b>
		<b>__ / 76</b>	

## Gateway 1: Alignment and Coherence

High-quality social studies materials are coherent and aligned to the Oklahoma Academic Standards for Social Studies (OAS-SS) to support students with skills and disciplinary tools to prepare them for college, career, and civic life. Educators determine the Gateway rating by analyzing evidence from the instructional materials and scoring indicators tied to each criterion.

Gateway 1 Overview	Indicators	Available Points
<b>Criterion 1.1: Alignment and Accuracy</b> The instructional materials are aligned with the OAS-S.S.	1a - 1f	14
<b>Criterion 1.2: Coherence</b> The instructional materials attend to the learning progressions emphasized in the standards so that the curriculum is coherent both within grades and across grade bands and is cohesive and consistent with the progressions in the Oklahoma Academic Standards for Social Studies.	1g - 1j	10
<b>Total Points</b>		<b>24</b>

<b>Criterion 1.1 Alignment and Accuracy</b>		<b>The instructional materials are aligned with the Oklahoma Academic Standards for Social Studies.</b>		
<b>Indicators</b>	<b>Guiding/Key Questions</b>	<b>Score</b>	<b>Comments</b>	
<b>1a. HISTORY: The materials include written records of human experience revealing how individuals and societies developed institutions, philosophies, ideals, and cultural values and resolved their problems.</b>	Do the materials provide students with the how and why of challenges and successes of past societies?  Do the materials help students with a deeper awareness of today's problems?	0 1 2 _ / 2		
<b>1b. GEOGRAPHY: The materials include the study of the earth's surface and the processes that shape it, the relationships between people and environments, and the connection between people and places.</b>	Do the materials emphasize asking geographic questions to understand the relationship of humans to their environment?  Do the materials help students answer questions about where things are, how they got there, and how they interact with other things?	0 1 2 _ / 2		
<b>1c. CIVICS: The materials explain the essential principles and workings of the political systems, including the relationship of politics and government to world affairs.</b>	Do the materials help students understand citizens' rights, responsibilities, and duties?  Do the materials help students to understand their government?	0 1 2 _ / 2		
<b>1d. ECONOMICS: The materials clearly explain economics, enabling students to comprehend the various competing economic philosophies, ideas, and forces that affect them every day, measure the effectiveness of each, and identify and evaluate the consequences of personal decisions and public policies.</b>	Do the materials explain how individuals, communities, states, and nations allocate scarce and abundant resources?  Do the materials show how a market economy effectively functions, preparing students to be producers, consumers, and citizens?	0 1 2 _ / 2		
<b>*1e. The materials address the full intent of the grade-level objectives and are aligned with the OAS-S.S.</b>	Are all Oklahoma Academic Standards for the course supported by the content of the materials?  Are all Oklahoma Academic Standards for the course addressed with the appropriate depth to support students in learning the skills and information contained in the standards?	0 2 4 _ / 4		
<b>1f. The instructional materials connect the Oklahoma Academic Standards for Social Studies content to relevant experiences.</b>	Do the materials include tasks that connect relevant learning experiences, as called for by the Oklahoma Academic Standards?	0 1 2 _ / 2		
<b>Criterion 1.1 Summary</b>		<b>Subtotal</b>	<b>Rating Levels</b>	<b>Rating</b>
		<b>_ / 14</b>	<b>Exemplifies Quality: 12-14 Approaching Quality: 8-11 Not Representing Quality: 0-7</b>	

<b>Criterion 1.2 Coherence</b>		The instructional materials attend to the learning progressions emphasized in the standards, so the curriculum is coherent both within a grade and across grade bands and is cohesive and consistent with the progressions in the Oklahoma Academic Standards for Social Studies.		
<b>Indicators</b>	<b>Guiding/Key Questions</b>	<b>Score</b>	<b>Comments</b>	
<b>1g. The content designated for one grade level can be completed in a typical school year or semester while fostering coherence from one grade level to the next.</b>	Do the instructional materials allow for reasonable completion in one academic year or semester?  Does the material connect content knowledge from one year to the next?	0 1 2 _ / 2		
<b>*1h. The materials are consistent with the Oklahoma Academic Standards for Social Studies progressions.</b> - Relate grade-level concepts explicitly to prior knowledge from earlier grades. - Develop according to the grade-by-grade progression in the Standards. - If content from past or subsequent grades is included, it is clearly identified and related to grade-level work.	Are the materials consistent with the progression in the standards?  Is grade-level content connected to specific standards from earlier grades?	0 2 4 _ / 4		
<b>1i. The instructional materials provide all students with comprehensive and extensive opportunities to engage in grade-level activities.</b>	Do materials provide opportunities for student engagement with the content?	0 1 2 _ / 2		
<b>1j. The materials foster coherence across a single grade through connections among the Oklahoma Academic Standards for Social Studies.</b>	Are there activities that connect two or more objectives in a strand in a grade?	0 1 2 _ / 2		
<b>Criterion 1.2 Summary</b>		<b>Subtotal</b>	<b>Rating Levels</b>	<b>Rating</b>
		<b>_ / 10</b>	<b>Exemplifies Quality: 9-10 Approaching Quality: 6-8 Not Representing Quality: 0-5</b>	

Gateway 1 Points Available	Rating Levels	Gateway 1 Points Achieved	Gateway 1 Rating
<b>24</b>	Exemplifies Quality: 19 -24	<b>__/24</b>	
	Approaching Quality: 13-18		
	Not Representing Quality: 0-12		
<b>Gateway 1 Comments</b>			

## Gateway 2: Practices and Assessments

Gateway 2 evaluates how instructional materials align with the four social studies practices from OAS-SS for PK-12 students. It promotes engagement in the democratic processes through evaluating evidence, reading critically, and writing effectively while assessing prior knowledge and providing clear goals and accommodations. Educators determine the gateway rating by analyzing evidence from the instructional materials and scoring indicators tied to each criterion.

❑ **Materials must receive a score of Exemplifies or Approaching Quality in Gateway 1 to be reviewed in Gateway 2.**

Gateway 2 Overview	Indicators	Available Points
<p><b>Criterion 2.1: Practices</b></p> <p>The material incorporates the four social studies practices outlined in the OAS-SS, offering essential experiences for students (PK-12) to engage in democratic processes through evaluating evidence, reading critically, and writing effectively. This approach fosters a deeper understanding of government principles and social studies concepts.</p>	<p><b>2a – 2e</b></p>	<p><b>10</b></p>
<p><b>Criterion 2.2: Assessments</b></p> <p>The materials improve teaching by assessing prior knowledge, offering practice, and providing resources for student progress, with accommodations and clear goals.</p>	<p><b>2f – 2l</b></p>	<p><b>18</b></p>
<p><b>Total Points</b></p>		<p><b>28</b></p>

<b>Criterion 2.1 Practices</b>		The material incorporates the four social studies practices outlined in the Oklahoma State standards, offering essential experiences for students (PK-12) to engage in democratic processes through evaluating evidence, reading critically, and writing effectively. This approach fosters a deeper understanding of government principles and concepts of social studies.		
<b>Indicators</b>	<b>Guiding/Key Questions</b>	<b>Score</b>	<b>Comments</b>	
<b>2a. Engage in Democratic Processes: The materials help students understand the importance of critical questioning in solving real-world problems.</b>	Do materials support student learning of the principles and foundations of the United States government?  Do students develop and respond to essential and supporting questions?	0 1 2 _ / 2		
<b>2b. Acquire, Apply, and Evaluate Evidence: The materials allow students to evaluate historical, geographic, and economic information, draw conclusions from primary and secondary sources, and formulate informed decisions.</b>	Do materials offer students opportunities to draw conclusions from factual information to formulate informed decisions?  Do materials allow students to analyze evidence on civics, history, geography, and economics?	0 1 2 _ / 2		
<b>2c. Read Critically and Interpret Information Sources: The materials allow students to evaluate factual information and points of view while reading historical and contemporary texts to engage in collaborative discussion.</b>	Do materials allow students to read, write, listen, and speak about the content?  Do materials offer students opportunities to interact with primary and secondary sources?	0 1 2 _ / 2		
<b>2d. Engage in Evidence-Based Writing: The materials allow students to develop written products through investigations by using and integrating evidence to present knowledge and support their claim.</b>	Do materials allow students to develop a claim and integrate evidence to demonstrate understanding?	0 1 2 _ / 2		
<b>2e. The materials provide authentic, meaningful sources aligned with the knowledge and skills required by the standards.</b>	Do materials include primary and secondary sources?  Do materials engage students in making meaningful connections?	0 1 2 _ / 2		
<b>Criterion 2.1 Summary</b>		<b>Subtotal</b>	<b>Rating Levels</b>	<b>Rating</b>
		_ / 10	Exemplifies Quality: 9-10 Approaching Quality: 6-8 Not Representing Quality: 0-5	

<b>Criterion 2.2 Assessments</b>		<b>The materials improve teaching by assessing prior knowledge, offering practice, and providing resources for student progress, with accommodations and clear goals.</b>		
<b>Indicators</b>	<b>Guiding/Key Questions</b>	<b>Score</b>	<b>Comments</b>	
<b>2f. The materials provide strategies and guidance for gathering information on students' prior knowledge within and across grade levels to guide instruction and differentiation.</b>	Do the materials include strategies, prompts, formative assessments, or other guidance that support teachers in gathering information on students' prior knowledge within and across grade levels to guide grade-level instruction and differentiation?	0 1 2 — / 2		
<b>2g. The materials provide opportunities for ongoing, relevant practice and review for students to learn concepts and skills and receive feedback.</b>	Do the materials include tasks that offer revision opportunities for students from self-reflection and/or feedback from peers and/or teachers?	0 1 2 — / 2		
<b>*2h. The materials offer multiple types of assessments, including ongoing formative, interim/benchmark, and summative assessments, that clearly denote which academic standards are the focus.</b>	Do the materials include multiple types of assessments, such as formative, interim, and summative, that align with academic standards?  Are the academic standards clearly identified and linked to the various types of assessments in the materials?	0 2 4 — / 4		
<b>2i. The materials provide students with resources to monitor their own progress and set academic goals.</b>	Do materials provide opportunities for students to monitor their progress (e.g., end-of-section reflection questions, checks-for-understanding, progress monitoring form)?	0 1 2 — / 2		
<b>2j. The assessment materials offer accommodations that allow students to demonstrate their knowledge and skills without changing the content of the assessment.</b>	Do materials support using various accommodations, including timing, setting, presentation, and response alterations, allowing students to demonstrate their knowledge, skills, and abilities?	0 1 2 — / 2		
<b>*2k. Materials include explicit student learning goals that solicit observable evidence of student learning within progressions that guide instructional decisions.</b>	Do the materials provide learning goals with opportunities for the teacher and students to identify their learning and how their daily learning connects to a longer learning progression?	0 2 4 — / 4		
<b>2l. The materials provide explicit guidance for teachers to use evidence of student thinking to assess their progress and to adjust instruction continually in ways that support and extend learning.</b>	Do materials include scoring guidance (e.g., rubrics, anchors)?  Does the guidance include support for teachers in interpreting student performance and suggestions for follow-up?	0 1 2 — / 2		
<b>Criterion 2.2 Summary</b>		<b>Subtotal</b>	<b>Rating Levels</b>	<b>Rating</b>
		— / 18	Exemplifies Quality: 15-18 Approaching Quality: 10-14 Not Representing Quality: 0-9	

Gateway 2 Points Available	Rating Levels	Gateway 2 Points Achieved	Gateway 2 Rating
<b>28</b>	Exemplifies Quality: 22-28	<b>__ / 28</b>	
	Approaching Quality: 15-21		
	Not Representing Quality: 0-14		
<b>Gateway 2 Comments</b>			

## Gateway 3: Supports and Usability

Gateway 3 examines how materials support teachers in fully utilizing the curriculum and understanding their students' skills and learning. Educators determine the gateway rating by analyzing evidence from the instructional materials and scoring indicators tied to each criterion.

❑ **Materials must receive a score of Exemplifies or Approaching Quality in Gateway 2 to be reviewed in Gateway 3.**

Gateway 3 Overview	Indicators	Available Points
<p><b>Criterion 3.1: Student Learning</b> The materials identify how the content is designed for each child's active participation in grade-level/grade band/series content.</p>	3a-3e	10
<p><b>Criterion 3.2: Teacher Supports and Supplemental Materials</b> The materials allow teachers to plan and implement content with integrity effectively and to develop their professional learning further.</p>	3f-3j	10
<p><b>Criterion 3.3: Technology Usability</b> The materials integrate digital technology and interactive tools when appropriate to support student engagement and enhance learning.</p>	3k-3l	4
<b>Total Points</b>		<b>24</b>

<b>Criterion 3.1 Student Learning</b>		<b>Materials meet technical requirements and design standards to ensure accessibility, compatibility, and ease of use.</b>		
<b>Indicators</b>	<b>Guiding/Key Questions</b>	<b>Score</b>	<b>Comments</b>	
<b>3a. Materials are presented in an organized and visually stimulating way that supports students in engaging thoughtfully with the subject.</b>	Do the materials maintain a consistent layout for each lesson?  Are the images (e.g., photographs, charts, graphs, and maps) supportive of student learning and engagement without being visually distracting?	0 1 2 __ / 2		
<b>3b. Materials sequence tasks in a way that is intentional and supports student learning.</b>	Are the sequencing of assignments intentional in development (e.g., logical flow of material)?	0 1 2 __ / 2		
<b>3c. Materials provide teachers with strategies for meeting the needs of a range of learners.</b>	Do the materials provide opportunities for teachers to use various grouping strategies for regular and intervention instruction (e.g., individual, small group, whole group)?  Do materials provide appropriate support, scaffolds, and/or accommodations for EL and special education students including gifted learners to support their regular and active participation in learning?	0 1 2 __ / 2		
<b>3d. Materials incorporate a glossary, footnotes, recordings, graphics, and/or other features to aid students in using the materials to progress understanding.</b>	Do the materials include features (e.g., glossary, footnotes, recordings, pictures, charts, tables) that aid students and teachers in using them effectively?	0 1 2 __ / 2		
<b>3e. Materials provide strategies to encourage students to engage in disciplinary thinking by balancing reading, writing, speaking, and listening.</b>	Do the materials emphasize building content-specific academic vocabulary?  Do the materials require students to use strategies to make claims using evidence and reasoning?	0 1 2 __ / 2		
<b>Criterion 3.1 Summary</b>		<b>Subtotal</b>	<b>Rating Levels</b>	<b>Rating</b>
		__ / 10	Exemplifies Quality: 9-10 Approaching Quality: 6-8 Not Representing Quality: 0-5	

<b>Criterion 3.2 Teacher Support</b>		<b>The materials allow teachers to plan and implement content with integrity effectively and to develop their professional learning further.</b>		
<b>Indicators</b>	<b>Guiding/Key Questions</b>	<b>Score</b>	<b>Comments</b>	
<b>3f. Materials include support for teachers to facilitate structured discourse among students to identify and act upon problems in the world around them.</b>	Do the materials provide strategies for teachers to encourage meaningful discourse among students to identify and address real-world issues?	0 1 2 __ / 2		
<b>3g. The materials guide the time a lesson/task should take, including flexibility based on student needs.</b>	Does the pacing allow for maximum student understanding? Do the materials allow for adjustment of pacing based on student needs?	0 1 2 __ / 2		
<b>3h. Materials build the teacher's understanding of the content and skills.</b>	Do the materials guide teachers in their understanding of the content? Do the materials guide teachers in how to incorporate skills?	0 1 2 __ / 2		
<b>3i. Materials support effective communication with families, community members, and other stakeholders to promote student progress and engagement.</b>	Do the materials provide strategies for communicating with families, community members, and other stakeholders, and ways for them to support student progress and engagement?	0 1 2 __ / 2		
<b>3j. The materials include a teacher's edition that contains:</b> - Ample and useful annotations. - Suggestions for presenting the content in the student edition and any supplemental materials. - Guidance for using embedded technology to support and enhance student learning, when applicable.	Are there overview sections and/or annotations that contain narrative information and/or ancillary documents that will assist the teacher in presenting the student materials, understanding the standards, and allowing for seamless transitions of that knowledge of student learning?  If technology support is embedded, are there resources that will enhance all types of student learning?	0 1 2 __ / 2		
<b>Criterion 3.2 Summary</b>		<b>Subtotal</b>	<b>Rating Levels</b>	<b>Rating</b>
		__ / 10	Exemplifies Quality: 9-10 Approaching Quality: 6-8 Not Representing Quality: 0-5	

<b>Criterion 3.3 Technology Usability</b>		<b>The materials integrate digital technology and interactive tools, when appropriate, to support student engagement and enhance learning.</b>		
<b>Indicators</b>	<b>Guiding/Key Questions</b>	<b>Score</b>	<b>Comments</b>	
<b>3k. Digital materials are accessible within a Learning Management System (LMS).</b>	Can materials be easily shared within a Learning Management System?	0 1 2 _ / 2		
<b>3l. Any digital materials are web-based and compatible with multiple internet browsers (e.g., Microsoft Edge, Firefox, Google Chrome). In addition, materials are “platform neutral” (i.e., compatible with multiple operating systems and not proprietary to any single platform) and allow the use of tablets and mobile devices.</b>	Is digital material (either included as part of the comprehensive materials or as part of a digital curriculum) web-based and compatible with multiple internet browsers?  Are materials “platform neutral”?	0 1 2 _ / 2		
<b>Criterion 3.3 Summary</b>		<b>Subtotal</b>	<b>Rating Levels</b>	<b>Rating</b>
		<b>_ / 4</b>	<b>Exemplifies Quality: 4 Approaching Quality: 2-3 Representing Quality: 0-1</b>	

<b>Gateway 3 Points Available</b>	<b>Rating Levels</b>	<b>Gateway 3 Points Achieved</b>	<b>Gateway 3 Rating</b>
<b>24</b>	Exemplifies Quality: 20-24 Approaching Quality: 13-19 Not Representing Quality: 0-12	<b>_ / 24</b>	
<b>Gateway 3 Comments</b>			

## Gateway 4: Statutory and Regulatory Fidelity

High-quality instructional materials comply with Oklahoma statutory and regulatory requirements, including 70 O.S. §24-157 and OAC 720:10-5-3. Educators use evidence from the instructional materials to determine whether the materials meet these legal requirements.

Gateway 4 Overview	Guiding Question	Available Points
<p><b>Criterion 4.1:</b> Materials align with Oklahoma statute 70 O.S. § 24-157</p> <p>Instructional materials do not teach or promote that any individual is inherently superior or inferior, morally defined, or responsible for the actions of others based on race or sex. Materials do not suggest that individuals should be discriminated against, feel guilt or distress, or that traits such as merit or work ethic are inherently racist or sexist.</p>	<p>Does the material comply with the statute?</p>	<p><b>YES / NO</b></p>
<p><b>Criterion 4.2:</b> Materials align with Oklahoma Administrative Code 720:10-5-3</p> <p>Instructional materials are factual, balanced, and objective, presenting content accurately without bias or partial interpretation. Materials do not promote civil disorder, illegal or immoral behavior, or disregard for authority; they respect high moral standards, the family unit, free enterprise principles, Western cultural and religious heritage, and the rights and privacy of students and families, while avoiding extraneous, offensive, or sensational content.</p>	<p>Does the material comply with the code?</p>	<p><b>YES / NO</b></p>



# PE/Health & Vocational Education Subject 2026 Adoption Cycle

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## **Background:**

Following the Oklahoma State Board of Education’s adoption of the revised Social Studies academic standards in April 2026, the decision was made to proceed with the 2026 Social Studies and Science instructional materials review cycle.

As a result, at the February 2026 State Textbook Committee meeting, Physical Education/Health and Vocational Education were moved to the 2027 review cycle. To ensure school districts may continue purchasing approved instructional materials in these subject areas during the 2026–2027 school year, the current contracts for Physical Education, Health, and Vocational Education will be extended by one year.

## **Options for Committee Consideration:**

In light of the Supreme Court stay, the State Textbook Committee may wish to consider:

- Extending the current PE/Health and Vocational Education instructional material contracts for one year,

As authorized under [70 O.S. §16-102\(B\)](#), which allows the Committee to extend existing contracts by one to two years.



# 2026 Justification for Out-of-Cycle Request

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[70 O.S. § 16-102 \(I\)](#), [70 O.S. § 16-107 \(B\)](#) After the final textbook list is published, the State Textbook Committee may, by a three-fourths majority, determine that unusual or extraordinary circumstances exist in a specific subject area. These circumstances may include, but are not limited to, significant new teaching methods or important discoveries. If the Committee approves the request to proceed with the review, the publisher may submit a bid in accordance with standard procedures. The Committee may then adopt the textbook for the remainder of the adoption period, and local textbook committees may choose to use it.

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**Below** are publisher requests to submit **out-of-cycle materials** for the current evaluation cycle, with each **subject area** listed alongside the **publisher's name**, the year of the next review, and the **justification**.

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## **PFL Academy – Personal Financial Literacy (Next Review 2031)**

PFL Academy is requesting consideration for an out-of-cycle bid for the Personal Financial Literacy adoption. It is a digital curriculum aligned with the 14 Areas of Instruction under the Passport to Financial Literacy Act (70 O.S. § 11-103.6h) and is currently used in two Oklahoma districts, where teachers independently selected and purchased the program for classroom instruction. Teacher feedback indicates that the platform is well-structured and user-friendly, and that it supports instruction through ready-to-use lessons and step-by-step guidance, making it accessible even to educators without a background in finance. It is also being used to support authentic, real-world financial decision-making for students in applied learning contexts.

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## **Jigsaw Learning dba TeachTown – Early Childhood Education / Special Education (Next Review 2029)**

TeachTown is requesting consideration for an out-of-cycle submission of its early childhood special education curriculum. The vendor is focused on supporting the academic, behavioral, and adaptive development of students with disabilities through research-based instructional practices and has over 20 years of implementation experience in districts across the United States serving K–Transition learners. Their newly developed PreK curriculum, completed in May 2025, is designed for early learners with moderate-to-severe disabilities, as well as peers in inclusive settings. The request is based on the need for a dedicated special education category and the goal of providing structured instructional support to address developmental gaps in all students.

# Justification for Special Education Review

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## **Background:**

Currently, there is no designated subject area or review rubric specifically for special education instructional materials within the State Textbook Committee review process. To provide greater equity and consistency in the review process, instructional materials intended for special education students should still undergo a rigorous, transparent review using the most closely aligned available rubric.

Jigsaw Learning dba TeachTown provides instructional materials designed to support students with special education needs and offers a unique opportunity for the committee to consider how these materials may be reviewed and included in the state-approved instructional materials list. Reviewing these materials using the Early Childhood Education rubric would allow the committee to conduct a formal review process while maintaining alignment with an established evaluation structure.

The inclusion of these materials on the state-approved list would allow districts to use state textbook funds to purchase special education instructional materials. Additionally, the review would ensure the materials undergo a higher level of evaluation and transparency than has previously been available for these types of resources.

## **Options for Committee Consideration:**

Option 1:

Approve the justification request for Jigsaw Learning dba TeachTown to be reviewed using the Early Childhood Education rubric during the instructional materials review process.

Option 2:

Do not approve the justification request for Jigsaw Learning dba TeachTown to be reviewed using the Early Childhood Education rubric.



OKLAHOMA STATE DEPARTMENT *of* EDUCATION  
OFFICE OF SPECIAL EDUCATION SERVICES

To: Textbook Committee  
From: Office of Special Education Services  
Re: Early Childhood Out of Cycle Justification  
Date: June 5, 2026

The ESEA permits states to adopt Alternate Academic Achievement Standards for students with the most significant cognitive disabilities, as long as they are aligned to the state's content standards. Over a decade ago, Oklahoma adopted alternate academic achievement standards. In Oklahoma, students who are assessed through the Oklahoma Alternate Assessment Program (OAAP) are taught to Oklahoma-adopted alternate achievement academic standards, which are aligned to the Oklahoma Academic Standards. Current OAAP proficiency rates for 4<sup>th</sup>, 8<sup>th</sup>, and 11<sup>th</sup> grade reading and math fall between 12% and 38%. This proficiency rate is unacceptable.

These proficiency rates indicate that instruction for this population of students is inadequate. Across the state, we have identified that most districts lack curriculum for this group of students, which is a contributing factor to poor student outcomes. It is reported that districts do not have funding to purchase these materials and teachers often construct fragmented curricula that lack standards alignment and rigor. Teachers need to be afforded concrete tools and explicit curriculum to improve the outcomes of students with significant cognitive disabilities. The state's current six-year cycle leaves this population of students isolated from the state's high quality instructional materials (HQIM). Without this out-of-cycle approval, classrooms will continue using unaligned, non-vetted, and supplemental materials instead of HQIM. State-approved comprehensive materials ensure that the most vulnerable learners are taught with evidence-based, validated tools.

We respectfully request that the State Textbook Committee approve an out-of-cycle review window for early childhood HQIM that will serve students being taught to alternate achievement academic standards across all grades. Furthermore, for the first time, this will allow districts the opportunity to use allotted state textbook funds to purchase these HQIM. This will provide both access and equity for students with the most significant cognitive disabilities.

**PFL Academy**

Justin Ghiglia, Founder & President  
justin@pflacademy.co  
pflacademy.co

May 29, 2026

Oklahoma State Textbook Committee  
c/oCarolynn Bristow, Project Manager of Educational Materials  
Oklahoma State Department of Education  
2500 North Lincoln Boulevard, Suite 315  
Oklahoma City, OK 73105

**Re: Justification for Out-of-Cycle Bid Consideration — Personal Financial Literacy (Grades 7–12)**

Dear Members of the State Textbook Committee:

I am writing to request the Committee’s consideration of an out-of-cycle bid from PFL Academy for the Personal Financial Literacy (PFL) adoption. PFL Academy is a digital curriculum platform built specifically for the 14 Areas of Instruction defined by the Passport to Financial Literacy Act of 2007 (70 O.S. § 11-103.6h). The platform is currently in active classroom use in two Oklahoma districts, and the strongest case I can make for this submission is the case those teachers are already making in their own words.

**Already in use in two Oklahoma districts**

PFL Academy is being used this year by Dianna Wilkins at Dale High School and Casey Caughern Perez at Clinton Public Schools. Both teachers found PFL Academy on their own, paid for it, and chose to make it part of their financial literacy instruction. Both have agreed to be named in this submission.

Dianna Wilkins has taught financial literacy for over 12 years. Before adopting PFL Academy, she built her own curriculum from OSDE materials and NextGen Personal Finance resources. After a year using the platform, she wrote:

*“It is a well-structured, user-friendly curriculum that makes teaching personal finance approachable and manageable. Even without a background in finance, the lessons are clearly organized and provide step-by-step guidance, ready-to-use materials, and meaningful activities that connect directly to real-life financial situations. It removes the intimidation factor and allows you to focus on engaging students in learning essential life skills.”*

Casey Caughern Perez teaches the financial literacy capstone at Clinton’s alternative education program. In an interview earlier this spring, she described two of her students using the platform to prepare for real financial conversations — one navigating a home purchase from a deceased relative’s estate, another negotiating an auto loan. Both reported back to her that, after working through the relevant

standards, they walked into their bank meetings prepared and unintimidated. Her overall recommendation:

*“Highly recommended. It’s in such an understandable way for the teacher and the student. It drives questions that you wouldn’t even think about with the students when they become engaged. It’s easier than anything I’ve seen and that I’ve looked at — but it’s also quality.”*

I came to the bid process through these classroom relationships and through conversations with Shea McCrary, who served on the 2025 review committee and is familiar with PFL Academy from prior discussions; she directed me to your office after we connected again at the CCOSA conference. She has indicated she is glad to speak with the Committee directly if any qualitative questions about the platform would be useful. The reason this is an out-of-cycle request rather than a 2025-cycle submission is straightforward: I learned the process through educators in the field rather than through the Intent-to-Bid window, and PFL Academy was not in a position to submit a complete packet last April. It is now.

### **Built for Oklahoma’s 14 Areas of Instruction**

PFL Academy’s curriculum maps one-to-one against the 14 Areas of Instruction defined in the Passport to Financial Literacy Act. Standards 1 through 14 in the platform correspond directly to the 14 statutory areas, with the Oklahoma framework serving as the canonical reference architecture from which our alignment work for 34 other states is derived. This is foundational design, not retrofitted alignment.

The platform also includes a fifteenth standard focused on capstone career readiness — career exploration, postsecondary planning, FAFSA navigation, resume building, and interview practice. This standard was built specifically to support Oklahoma’s ICAP requirements and gives districts a single resource that addresses both the Passport graduation requirement and ICAP within one platform. Casey Caughern Perez teaches the capstone course at Clinton; her students used Standard 15 to prepare for their April mock interviews.

### **What is distinctive about the platform**

Five features are worth flagging for the Committee in advance of any rubric review:

1. **Oklahoma-specific content, not national averages.** The platform draws on a state data layer of over 20 variables — including Oklahoma tax rates, Oklahoma minimum wage, and Oklahoma housing costs — so that chapter examples reflect the actual economic context students will encounter, rather than generic national figures. The same architecture supports differentiated content for every state in which the platform operates.
2. **A Day 1 / Day 2 instructional model.** Every chapter is structured as direct instruction on Day 1 followed by a Learning Lab on Day 2, with hands-on activities, real-world scenarios, and peer

discussion. Casey's observation — that her students take over the discussions themselves once they've worked through the material — is the model working as designed.

3. **Three-tier scaffolding for IEP and differentiated instruction.** Teachers assign content at one of three levels — Clean (independent), Guided (balanced hints), or Complete (full support with sample solutions) — at the individual student level. Every assessment question carries embedded scaffolding content, so a student with an IEP and an advanced student in the same class see the version appropriate to their plan without the teacher building two versions of the lesson.
4. **AI-supported career readiness tools.** PFL Academy's interview simulator covers eight scenarios spread across the curriculum: a full job interview, a phone-screen interview, a rental application, a mortgage pre-approval, a car dealership financing conversation, a bank loan officer meeting, a debt counseling session, and a lease signing review. The full job interview is currently live, and within that single chapter the student selects from eight industries — business and finance, technology, healthcare, education, marketing and communications, hospitality and service, skilled trades, and creative arts — and four experience levels (entry-level, internship, remote or hybrid, part-time), giving the platform thirty-two distinct interview variants from one configurable session. Each session runs with real-time speech-to-text, video recording, teacher gradebook integration, and a full transcript returned to both student and teacher. The live job interview serves as the production template for the remaining seven scenarios, which are being authored against it.
5. **Bilingual delivery and LMS integration.** Every chapter is available in English and Spanish. The platform supports Canvas and Schoology via LTI, Clever SSO for district authentication, and grade passback, so it slots into a district's existing systems without requiring teachers to manage a separate login.

### **Free resources alongside the paid platform**

In addition to the paid platform, PFL Academy provides a free resource library of downloadable PDFs that mirrors the paid curriculum one-to-one. Every chapter on the paid platform is also available as a free download set: a student workbook for Day 1, a student workbook for Day 2, a teacher slide deck for Day 1 direct instruction, and a teacher guide supporting both days. The free materials carry the same Oklahoma chapter numbering, the same standards alignment, and the same Oklahoma-specific data points as the paid platform. This lowers the barrier for districts evaluating the platform before committing to a contract and gives every Oklahoma teacher access to standards-aligned, state-personalized content immediately, regardless of district adoption status.

### **How this fits with the existing approved list**

This request is not a critique of the materials approved in the 2025 cycle. Oklahoma districts have a real choice today, and PFL Academy's entry would expand that choice rather than replace it. Districts working with a more traditional textbook may find PFL Academy useful as a complementary digital resource; districts looking for a fully digital, ICAP-integrated, bilingual option may find it the better primary fit. The Committee's rubric is well-suited to surface those differences, and we welcome that review.

### **Our commitments if approved to proceed**

If the Committee grants approval at the June 5 meeting, PFL Academy will:

- Submit a complete bid packet by June 12 at 11:59 a.m. CT, including the Bid Template with 13-digit ISBNs, Standards Correlation document keyed to all 14 Areas of Instruction, Print-Digital Correlation document, notarized Affidavit of Bid Prices, and notarized Statement of Ownership.
- Establish an account with an Oklahoma-approved publisher depository (Thompson School Book Depository or Archway) in advance of the June 12 deadline.
- Deliver virtual access and reference materials to all designated sample recipients by July 28, with clear login credentials and platform navigation instructions for content reviewers.
- Make the platform available to Content Review Team members at no cost throughout the review period, with direct technical support during school hours.
- Honor the price commitment required by 70 O.S. § 16-103, certifying that the prices offered to Oklahoma do not exceed the lowest prices at which the same materials have been offered to any U.S. state or district under comparable terms within the prior six months.

I appreciate the time the Committee has set aside to consider out-of-cycle submissions, and the workCarolynn Bristow and her office have done to make this process navigable for publishers new to Oklahoma's adoption framework. I would welcome the opportunity to attend the June 5 meeting remotely and am available for any questions the Committee wishes to put to me directly. Dianna and Casey have both indicated they would be willing to speak to their experience with the platform, and Shea McCrary is available as a qualitative reference as well.

Respectfully submitted,

Justin Ghiglia  
Founder & President, PFL Academy  
justin@pflacademy.co

Jigsaw Learning LLC dba TeachTown  
841 Woburn Street  
Wilmington, MA 01887

RE: Out of Cycle Bid Justification – Oklahoma PreK Education Instructional Materials Review

To Whom It May Concern,

TeachTown was founded with one clear mission: to improve the academic, behavioral, and adaptive functioning of students with disabilities. Educators need proven tools and strategies to help them meet educational goals and improve every child's intellectual and social functioning. At TeachTown, we are committed to research-based practices that serve the needs of diverse student populations.

TeachTown's programs and services have been implemented in school districts across the United States for over twenty (20) years, serving Kindergarten through Transition students and classrooms. In 2023, we began the development of a comprehensive and inclusive early childhood special education curriculum, which was completed in May 2025.

We are requesting approval to proceed with an out-of-cycle submission due to the absence of a specific category for a PreK curriculum tailored for early learners with moderate to severe disabilities, as well as their peers who learn alongside them. Our ultimate goal is to gain approval for this early learning curriculum in the State of Oklahoma. This program is critically needed to address the growing number of preschool students entering the school system significantly behind their peers. By approving this curriculum now, Oklahoma can deliver a measurable, positive impact on closing these developmental gaps, while immediately providing early childhood educators with the exact tools and structured frameworks necessary to support these unique special needs before students enter Kindergarten.

If you have any questions, please do not hesitate to contact me.

Kimberly A. Johnson  
Sr. VP Business Operations  
Jigsaw Learning LLC  
dba TeachTown  
kjohnson@teachtown.com  
Cc: contracts@teachtown.com

# Nothing to Hide: A Deep Dive Into Oklahoma's Open Government Laws

***Presented by:***

*THOMAS R. SCHNEIDER, Deputy General Counsel*

**OKLAHOMA OFFICE OF THE ATTORNEY GENERAL**

2025 Open Meeting & Open Records Act Regional Seminars  
Tulsa | Norman | Stillwater | Oklahoma City



# **Purpose of the Open Meeting and Records Acts**

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***Transparency in Government  
Government under the Microscope***

# JUSTICE LOUIS B. BRANDEIS

*“Sunshine is said to be  
the best of disinfectants.”*



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# The Open Meeting Act (OMA)

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*25 O.S. 2021,  
§§ 301 – 314*



# OVERVIEW

- What is a meeting?
- What is a public body?
- Types of meetings.
- Executive Sessions.
- Agendas.
- Civil and criminal repercussions for violating the Open Meeting Act.



# PUBLIC PURPOSE OF OMA

- Encouraging citizens to know more about public bodies, governmental processes, and governmental problems.

## **Advance notice • Agenda • Minutes**

- Meeting in a centralized, accessible location for citizens to come and watch government in action.

## **Convenient times & places**



# WHEN THE OMA APPLIES?

When a <sup>1</sup>***majority*** of a <sup>2</sup>***public body's*** members come together to <sup>3</sup>***conduct public business.***



# PUBLIC BODY DEFINED

[25 O.S. 2021, § 304\(1\)](#), Yellow Book (26th ed.) 2.

Municipal governing bodies

Boards of county commissioners

Boards of public and higher education

All boards, bureaus, commissions, agencies, trusteeships, authorities, councils, committees, and public trusts

Any committee or subcommittee of a public body

# ELEMENTS OF PUBLIC BODY ANALYSIS

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Supported by  
public funds

Entrusted with  
spending  
public funds

Administration  
of public  
property

Actual or de-facto  
decision-making  
authority\*

**25 O.S. 2021, §§ 304(1) & *Sanders v. Benton*, 1978 OK 53, 579 P.2d 815;  
*Int'l Firefighters, Local No. 2479 v. Thorpe*, 1981 OK 95, 632 P.2d 408.**

# EXEMPT PUBLIC ENTITIES

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The Judiciary

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State Legislature and legislators

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Administrative staff of public bodies

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Other entities, incl. Racing Stewards, Council on Judicial Complaints

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Multi-disciplinary teams provided for under Title 10A of the Oklahoma Statutes for sole purpose of considering recommendations of team and deciding placement of a child

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Board of Directors of federally-qualified health center

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\* Committees that are purely fact finding, informational, recommendatory, or advisory with no decision-making authority. [\*Andrews v. Indep. Sch. Dist. No. 29 of Cleveland Cnty., 1987 OK 40, 737 P.2d 929.\*](#)

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Private organizations that contract to provide goods or services to the public on behalf of a governmental agency and receive payment as reimbursement. 2002 OK AG 37.

# DEFINING ‘SUPPORT’

[2020 OK AG 2](#)

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- **Question:** Does the OMA and ORA apply to the OSSAA?
- OAG concluded that OSSAA was not subject to the OMA because of two reasons—
  - No evidence that OSSAA was supported by public funds. Defined support as “to pay the costs of; maintain,”
  - Based on this definition, our office has distinguished between—
    - Entity receiving public funds pursuant to legislative enactment or other government authorization for a public purpose, or
    - Entity simply paid in exchange for providing identifiable goods and services
  - OSSAA didn’t fit well on either side of this spectrum. Thus, the Office concluded that it more consistently fit in the latter.



# MEETING DEFINED

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*Conduct of business of a public body by a majority of its members being personally together or, as authorized by Section 307.1 of this title, together pursuant to a videoconference. **Meeting shall not include informal gatherings of a majority of the members of a public body when no business of the public body is discussed.***

*Public body + Majority of public body members + conducting business = meeting that must be open*



# MAJORITY vs. QUORUM

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- OMA default for quorum is a majority.
- A specific act or rule for a particular public body may determine that less than a majority of the public body is authorized to transact business on behalf of the public body. This may be referred to as a quorum. In any event, rely on the specific statute or rule over § 304(2) when determining if a meeting must comply with the OMA. [Unpublished Opinion 93-587](#).
- **Example:** X members shall constitute a quorum of the **[Public body]**.
- Ex-officio members can be included in your count. See [2009 OK AG 26](#).
- Your quorum **DOES NOT** decrease in light of a vacancy. See [1982 OK AG 165](#).



# TEXTS, EMAILS, AND SOCIAL MEDIA

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Elaine sends an email to her fellow board members about an upcoming agenda item.

Kramer has an opinion, and he smashes reply all.

Infuriated, George also replies all to ask a question.

Having an observation to share, Jerry decides to chime in and replies all.

A meeting has occurred, and the OMA is violated.



# POST-MEETING MEAL OR COFFEE

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**BEST PRACTICE:** A majority of a public body's members should not attend meals together.

Public body comprising of Charlie, Mac, Dennis, Deandra, and Frank has a properly noticed meeting in accordance with the Open Meeting Act.

The meeting adjourns at lunchtime. Charlie, Glenn, and Mac decide to grab lunch afterwards at Guigino's. While there, they decide to debrief.



# 'CONDUCTING PUBLIC BUSINESS'

- Construed the ordinary meaning of the phrase in harmony with the Act's purpose.
- Includes the **entire** decision-making process, including presentation of information, deliberation, decision, or formal action.

*In re Appeal of Order Declaring Annexation Dated June 28, 1978*, 1981 OK CIV APP 57, 637 P.2d 1270; **1982 OK AG 212**.



# CIRCUMVENTING THE ACT

- Public body cannot use informal gatherings or electronic or telephonic communications among a majority of the members to decide any action or vote on any matter.
- Convenient **≠** Legal.



# MEETINGS OF LESS THAN A QUORUM

[2020 OK AG 4](#)

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- **Question:** May a minority of a public body's members can meet outside of a public meeting consistent with the OMA?
- The short answer is that it depends.
- If the public body is doing so to willfully and purposefully circumvent the Act, a court might say that such a meeting, even among a minority, is a violation.
- **DO NOT—**
  - *Conduct polling, or*
  - *Hold discussions with the desired aim of reaching a consensus prior to a meeting.*
- Allowed to hold informational briefings where information is provided and received.
- **REMEMBER:** The purpose of the OMA is to facilitate public knowledge and awareness of governmental problems and processes.



# MEETINGS



# CORE REQUIREMENTS



Provide Advance Notice



Post Agenda



# ADVANCE NOTICE TO WHOM?

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- State public bodies and governing boards of higher education: **Secretary of State.**
- County public bodies, boards of education, and public bodies under the auspices of a governing board of higher education: **County Clerk** of the county in which the body is principally located.
- Municipal public bodies: **Municipal Clerk.**



# TIMES AND PLACES OF MEETINGS

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- **SPECIFIED** times and places,
- **CONVENIENT** to the public,
- **OPEN** to the public, and
- Must provide advance notice (agenda).



# ***Rogers v. Excise Bd. of Greer Cnty.***

[1984 OK 95, 701 P.2d 754](#)

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- Excise Bd. scheduled meeting to be held a legal holiday.
- The meeting was held in a ***locked*** courthouse.
- Court held that this was a willful violation of the OMA. It demonstrated a blatant or deliberate disregard by those who know or should know, if not a willful and purposeful violation of the OMA.



# TIMES AND PLACES

- Can you have your meeting on Black Friday?

***Probably not.***

- Can you have your meeting between Christmas Day and New Year's Eve?

***Legally, yes. Practically, not a good idea.***



# TYPES OF MEETINGS

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REGULARLY  
SCHEDULED  
MEETINGS



SPECIAL  
MEETINGS



EMERGENCY  
MEETINGS



CONTINUED OR  
RECONVENED  
MEETINGS



# REGULARLY SCHEDULED MEETINGS

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- Advance Notice
  - All meetings for the upcoming calendar year must be sent to the appropriate record-keeping clerk by December 15 of the current year.
  - Time, date, and place.
- Posting the Agenda
  - 24 hours prior to the time of the meeting in *prominent public view* at location of meeting or the principal office of public body, **AND**
  - May also upload to public body's website.\*
  - Excludes Saturdays, Sundays, and public (legal) holidays.
- New business allowed to the extent that it meets the following:  
***If it is known about or could have reasonably been foreseen prior to the time of posting*** the notice and agenda for the meeting, then it is not new business. See 25 O.S. 2021, § 311(A)(10).

25 O.S. 2021, §§ 304(3) & 311(A)(1, 8-10), Yellow Book (26th ed.) 4 & 14-17.



# REGULARLY SCHEDULED MEETINGS (cont'd)

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- Changing the date, time, or place?  
Notice must be given to the appropriate recordkeeping clerk no less than ten (10) days prior to the implementation of any such change.
- What does this mean?  
A public body cannot change the time, date, or place of a regularly scheduled meeting if the meeting is set less than ten (10) days away.

A public body **may move up** a regularly scheduled meeting, but the meeting cannot be scheduled less than ten (10) days from the date that notice of the change is published.

**BEST PRACTICE:** Set a special meeting if the issue(s) is/are urgent and cancel the regularly scheduled meeting.



# SPECIAL MEETINGS

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- Advance Notice
  - 48 hours prior to time of meeting.
  - Time, date, and place.
  - Must also send notice to those who have requested to receive notice of meeting.
- Posting the Agenda
  - 24 hours prior to the time of the meeting in *prominent public view* at location of meeting or the principal office of public body, or
  - Public Body **may elect** the agendas for special meetings to its website.
  - Excludes Saturdays, Sundays, and public (legal) holidays.
- New business **NOT** permitted.

25 O.S. 2021, § 303(4) & 311(A)(12), Yellow Book (26th ed.) 4 & 17–18.



# REGULAR v. SPECIAL MEETINGS

	Regular Meeting	Special Meeting
<b>Advance notice</b>	Notice to Secretary of State of time, date, and location all regular meetings for next CY no later than December 15 of current year.	48 hours advance notice to Secretary of State of time, date, and location. Also, notify persons requesting notice of special meetings
<b>Agenda posting</b>	24 hours prior to meeting (excl. weekends and holidays).	24 hours prior to meeting (excl. weekends and holidays).
<b>Posting location</b>	Website <i>AND</i> office or meeting location for <b>STATE</b> public bodies	Website <i>AND</i> office or meeting location for <b>STATE</b> public bodies
<b>New business</b>	Allowed*	Not allowed

25 O.S. 2021, §§ 304(3) & 311(A)(1) & (8)-(10).

25 O.S. 2021, § 304(4) & 311(A)(12).

# CONTINUED OR RECONVENED MEETINGS



- Give notice of such action that the original meeting, including—
  - Date,
  - Time, and
  - Place of continued meeting.
- Only matters appearing on the agenda for the meeting continued may be discussed on continuance or reconvening meeting.
- **BEST practice**: Post notice on website and with recordkeeping clerk. Also, post updated agenda with remaining items of business.



# EMERGENCY MEETINGS



- Must first meet the definition of ‘emergency’, which is a “situation involving injury to persons or injury and damage to public or personal property or immediate financial loss ***when the time requirements for public notice of a special meeting would make such procedure impractical and increase the likelihood of injury or damage or immediate financial loss.***”
- Advance Notice
  - As much advance notice as is reasonable and possible under the circumstances existing, and
  - In person, telephonic, or electronic.
- Posting the Agenda
  - As much advance notice as is reasonable and possible under the circumstances existing.
- Must include nature of emergency and reasons for declaring such emergency meeting in written minutes for an emergency meeting.

25 O.S. §§ 304(5) and 311(A)(13), Yellow Book (26th ed.) 18.



# MINUTES & RECORDING

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- Must be written and taken by a designated person.
- Minutes are an **official summary** of the proceedings—
  - Must show who is present and absent, matters considered, and actions taken ([2012 OK AG 24](#));
  - Shall be open for inspection, and
  - Shall reflect the manner and time of notice required under the OMA.
- Minutes must be taken in executive session. [Berry v. Bd. of Governors of Registered Dentists, 1980 OK 45, 611 P.2d 628.](#)
- State law does not require minutes to be approved.
- Recording the proceedings
  - Members of the public can record the meeting; however, they are not entitled to interfere with the conduct of the public meeting.

25 O.S. 2021, § 312, Yellow Book (26th ed.) 20–21.



# PUBLIC COMMENTS

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- Public bodies are not required to allow an opportunity for the public to comment on matters or issues being considered by the public body, but it may allow for such comments.
- Public bodies may limit public comment to items set forth on the agenda, or it may allow for open comment.
- If a public body decides to include public comment in its meetings, the public body should consider adopting a policy, such as setting a time limit for each person providing public comments, setting a cut-off for when persons must sign up to participate in the public comments, and potentially limiting the comments to agenda items.
- An agenda item titled “Visitors Comments” or “Public Comments” is sufficient to meet the requirements under the OMA.
- **CAUTION:** Items for discussion on the agenda should not be discussed by the public body at this time. This is the public body’s opportunity to listen.

2002 OK AG 26 & 1998 OK AG 45, Yellow Book (26th ed.) 49, 51–52.



# TAKING ACTION

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- Votes of each member of a public body: must be publicly cast **and** recorded.
- May only take action on agenda items that indicate or provide for action to be taken.
- If the vote is either not publicly cast or not recorded, the action taken is invalid. [\*Oldham v. Drummond Bd. of Educ.\*, 1975 OK 147, 542 P.2d 1309.](#)



# VIDEOCONFERENCE & TELECONFERENCE

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1. Not less than a quorum must be present at site of meeting.
2. All public body members must be audible and visible to one another.
3. Executive sessions are **NOT** allowed.
4. Notice and agenda must include the **locations** of the meeting; the videoconference sites (*i.e.*, location, address, and telephone number); and identity of members and from where they will appear.
5. Members of public bodies may only participate from the district or subdivision from which they are elected, appointed, or sworn to represent.
6. Materials shared must be immediately available “in the same form and manner” as shared with the public body.
7. Public must be allowed to participate and speak as allowed by rule or policy set by the public body at the videoconference site as permitted at the site of the meeting.
8. Each site and room must be open and accessible to the public.



# EXECUTIVE SESSIONS



# ***TWO IMPORTANT QUESTIONS***

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## **1. Can I do it?**

*Does it meet one of the bases, or is there some other legal authority?*

## **2. How do I do it legally?**

*a. Have I posted it on the agenda?*

*b. Have I cited to the specific basis for executive session?*

*c. Have I provided context as to what the public body will be discussing?*

*d. Has a majority of the public body present voted to enter executive session?*



# BEFORE, DURING, AND AFTER

- A “**majority**” of the public body members present must vote in the affirmative to enter into executive session. 25 O.S. 2021, § 307(E)(2).
- Executive sessions are not authorized when a public body meets via videoconference. 25 O.S. 2021, § 307.1.
- Public vote to enter executive session.
- Cannot vote or poll in executive session.
- Public vote to exit out of executive session.

**BEST PRACTICE:** After exiting executive session, announce the following, “No votes were taken in executive session, and no items not listed on the agenda for discussion in executive session were discussed.”



# EIGHT MOST COMMON BASES

Allowed ***only under certain circumstances and only those circumstances allowed under statute***, such as —

- Discussing employment, hiring, appointment, promotion, demotion, disciplining, resignation, or termination [§ 307(B)(1)];
- Discuss negotiations concerning employees and representatives of employee groups [§ 307(B)(2)];
- Discuss sale, purchase, lease, acquisition, or appraisal of real property [§ 307(B)(3)];
- Confidential communications between public body and attorney, the disclosure of which would impair the public body's ability to proceed in the public interest [§ 307(B)(4)];



# EIGHT MOST COMMON BASES (cont'd)

- To hear evidence and discuss expulsion or suspension of a student when requested by the student involved or student's parent, attorney or legal guardian [§ 307(B)(5)];
- Discuss matters involving a specific handicapped child [§ 307(B)(6)];
- Discussing matter in which information is subject to confidentiality requirements under state or federal law [§ 307(B)(7)]; or
- Deliberations in an individual proceeding pursuant to the Administrative Procedures Act [§ 307(B)(8)].



# CONSTRUING SECTION 307

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- Cannot talk about a job opening in executive session.  
[2006 OK AG 17.](#)
- Cannot discuss hiring independent contractors.  
[2005 OK AG 29.](#)
- Must identify the unique position or person if holding executive session under §307(B)(1). [1997 OK AG 61.](#)
- “Pending” under § 307(B)(4) includes an *anticipated or potential* claim, litigation, investigation, or action.  
[2005 OK AG 29.](#)  
*So what?* — You’re safe to rely on a litigation evidence hold or demand letter.



# REAL ESTATE TRANSACTIONS

Only certain people allowed in executive session when the sale, purchase, lease, acquisition, or appraisal of real estate property is discussed. These people are—

- Public body members,
- Attorney for the public body, and
- Immediate staff of the public body.

**Cannot** invite landowners, real estate salesperson, broker, developer, or any other person who may profit directly or indirectly from proposed transaction being considered.

**Exception**—these individuals are operating pursuant to an agreement to represent the public body.



# SAMPLE AGENDA LANGUAGE # 1

[§ 307(B)(1)]

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Discussion and possible action to convene in Executive Session pursuant to 25 O.S. 2021, § 307(B)(1), to discuss the **[hiring, termination, performance, or employment]** of **[Name of employee/Unique position]**.

- a. Vote to enter Executive Session.
- b. EXECUTIVE SESSION pursuant to 25 O.S. 2021, § 307(B)(1).
- c. Vote to exit Executive Session.
- d. Possible action regarding item(s) discussed in Executive Session.



# SAMPLE AGENDA LANGUAGE # 2

[§ 307(B)(1)]

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Discussion and possible action to convene in Executive Session pursuant to 25 O.S. 2021, § 307(B)(1), to conduct interviews of **[Candidate A, Candidate B, Candidate C, etc.]** for the position of **[Unique position]**, and to discuss the hiring or appointment, including setting annual compensation, of any of the above-mentioned candidates,

- a. Vote to enter Executive Session.
- b. EXECUTIVE SESSION pursuant to 25 O.S. 2021, § 307(B)(1).
- c. Vote to exit Executive Session.
- d. Possible action regarding item(s) discussed in Executive Session.



# SAMPLE AGENDA LANGUAGE # 3

[§ 307(B)(4)]

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Discussion and possible action to convene in Executive Session pursuant to 25 O.S. 2021, § 307(B)(4), to discuss the **[case (incl. case number), litigation, claim, investigation]**.

- a. Vote to enter Executive Session.
- b. EXECUTIVE SESSION 25 O.S. 2021, § 307(B)(4).
- c. Vote to exit Executive Session.
- d. Possible action regarding item(s) discussed in Executive Session.

**Opinion of counsel:** On the advice of counsel, disclosure of communications related to the above-referenced **[case, litigation, claim, investigation]** will seriously impair the ability of [Name of public body] to process **[case, litigation, claim, investigation]** in the public interest.



# SAMPLE AGENDA LANGUAGE # 4

[§ 307(B)(7)]

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Discussion and possible action to convene in Executive Session pursuant to 25 O.S. 2021, § 307(B)(7), to discuss **[matter]** where disclosure of information would violate confidentiality requirements of state or federal law, specifically **[Citation to state or federal law]**.

- a. Vote to enter Executive Session.
- b. EXECUTIVE SESSION 25 O.S. 2021, § 307(B)(7).
- c. Vote to exit Executive Session.



# SAMPLE AGENDA LANGUAGE # 5

[§ 307(B)(8)]

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Discussion and possible action to convene in Executive Session pursuant to 25 O.S. 2021, § 307(B)(8), to engage in deliberations or engage in intermediate decision in an individual proceeding pursuant to Article II of the Administrative Procedures Act concerning **[Case, Case No.]**.

- a. Vote to enter Executive Session.
- b. EXECUTIVE SESSION 25 O.S. 2021, § 307(B)(8).
- c. Vote to exit Executive Session.
- d. Possible action regarding item(s) discussed in Executive Session.



# AGENDAS



# WORDING THE AGENDA

- “Shall identify all items of business to be transacted by a public body at a meeting.”
- Must include any proposed executive session
- If executive session is proposed, public body must:
  - Contain sufficient information for public to know what the public body is going to discuss.
  - Identify items of business and purposes of executive session, and
  - State which provision under § 307 applies.



# WORDING THE AGENDA (cont'd)

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- Must be worded in plain language, directly stating the purpose of the meeting.
- Language used should be—
  - Simple,
  - Direct, and
  - Comprehensible to a person of ordinary education and intelligence.

*Andrews v. Indep. Sch. Dist. No. 29 of Cleveland Cnty.*, 1987 OK 40, 737 P.2d 929; *Haworth Bd. of Educ. Of Indep. Sch. Dist. No. 1-6, McCurtain Cnty. v. Havens*, 1981 OK CIV APP 56, 637 P.2d 902.



# AGENDA EXAMPLE #1

*Wilson v. City of Tecumseh*, [2008 OK CIV APP 84, 194 P.3d 140.](#)

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- Public body provides sufficient notice to the recordkeeping clerk.
- Then, public body publishes the following agenda item for a proposed executive session:
- Proposed Executive Session pursuant to 25 O.S. §307(B)(1) to discuss the employment, hiring, and resignation of [Employee].
- Public body enters into executive session, discusses the above matter, votes to exit executive session, and then votes to award a bonus (equivalent of 6 months in salary) to the Employee.
- What's wrong here?



# AGENDA EXAMPLE #2

*Haworth Bd. of Educ. of Indep. Sch. Dist. No. 1-6, McCurtain Cnty. v. Havens*,  
[1981 OK CIV APP 56, 637 P.2d 902.](#)

- Public body provides sufficient notice to the recordkeeping clerk.
- Then, public body publishes an agenda with the following language:
- Proposed Executive Session pursuant to 25 O.S. §307(B)(1) to discuss appointment of board member. Discussion of hiring administrator. Hiring principal. A second notice and agenda listed the items to be considered as:
  - Appoint new board member.
  - Interview a new administrator.
  - Hire principals.
- Public body enters into executive session, discusses the matters listed above, exits executive session, and then votes to hire and set a salary for a superintendent.
- What's wrong here?



# ***F.O.P., Bratcher/Miner Mem'l Lodge, Lodge No. 122 v. City of Norman***

[2021 OK 20, 489 P.3d 20.](#)

- Norman City Council took action on their operating budget on June 16, 2020.
- Agenda states that the Council can (1) adopt or (2) reject the budget.
- Agenda refers to FYE 2021 Budget Amendments 6-12-2020.
- City Council took up and adopted three amendments, reallocating funds away from Norman PD. The amendments were not attached as a part of the amendments attached to the agenda.
- Fraternal Order of Police sued, alleging a violation.



# ***F.O.P., Bratcher/Miner Mem'l Lodge, Lodge No. 122 v. City of Norman (cont'd)***

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- The trial court found against the City of Norman, concluding that the City had violated the OMA and granted summary judgment.
- City of Norman appealed to the Supreme Court.
- The Oklahoma Supreme Court retained the appeal.
- The OSC affirmed the District Court, finding that the City of Norman violated the OMA.
- Agenda was written to only allow adoption or rejection of the budget, not amendment.
- OSC held the agenda to be deceptively vague and likely to mislead, thus making it a willful violation of the OMA.



# **BEST PRACTICES AFTER *F.O.P. v. NORMAN***

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- Do not limit the agenda to just adoption or rejection; it is best to include “possible action.” On the agenda, you might consider listing what “possible action” means.
- Indicate or cite your supporting documents or attachments on the actual agenda.
- If sufficient time allows, list all amendments one by one under the item of business. If done this way, you may want to include language allowing members of the public body to make amendments during the meeting. State law or municipal charter or ordinance may require otherwise.
- **Remember:** the expression one thing excludes others.



# POSSIBLE ACTION

“Possible action” includes, but is not limited to, approval, authorization, adoption, rejection, denial, amendment, taking no action, or tabling the item for disposition at a later date or time.



# ***Hirschfeld v. Oklahoma Turnpike Auth.***

[2023 OK 59](#)

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- In December 2021, Turnpike Authority Executive Director announced that OTA was seeking to develop the “most robust long-range plan in its history.”
- In January 2022, the Authority held votes on the approval or disapproval of a resolution authorizing a line of credit to provide interim financing of “***certain turnpike projects***” and to “authoriz[e] the Director to submit an application to the Council on Bond Oversight for provisional and final approval of the interim financing of certain turnpike projects.” **No turnpikes or projects were identified.**
- At this same meeting, the Authority also voted on a program management contract for engineering.



# *Hirschfeld v. Oklahoma Turnpike Auth. (cont'd)*

- In February 2022, the Authority voted to approve or disapprove professional design contracts “for [the] **ACCESS Bond Program.**” The Authority also voted on a right-of-way management contract for “various turnpikes.” Finally at the February meeting, the Authority voted on utility management contract(s) for ACCESS Bond Program and Capital Program on “**various turnpikes.**” **No turnpikes or projects were identified.**
- Finally, during the director’s report at the February 2022 meeting, Gov. Stitt announces the ACCESS Program. OTA launches the ACCESS Program website with ***proposed*** routes. **This is the first time that the public is informed what ACCESS Oklahoma is.** Information about the projects was also the lead story in major media publications and with Oklahoma broadcast news.



# *Hirschfeld v. Oklahoma Turnpike Auth. (cont'd)*

- Landowners & residents affected by the South Extension filed suit in Cleveland County.
- District Judge Timothy Olsen ruled that OTA violated the OMA willfully and granted summary judgment to the landowners and residents.
- On appeal, judgment was reversed and remanded with instructions to grant summary judgment in favor of OTA.



# *Hirschfeld v. Oklahoma Turnpike Auth. (cont'd)*

- Sufficient notice was given in the agenda items for the action proposed. Issuance of the bonds and proposed route were not up for possible action until June 2022.
- Because no action was taken with regard to ACCESS Oklahoma, the OMA did not require more notice about the announcement.
- Court went a step further and found that because it had exclusive jurisdiction to review and validate the bonds, it also had sole authority to review the OMA claims.



# Best practices following *Hirschfeld*

- **NEVER** use phrases like “certain turnpike projects.” They’re vague and possibly deceptively so.
- **ALWAYS** address any “major” public announcements on an agenda separately and use language that is sufficiently informative rather than under “Director’s Report.”
- **ALWAYS** label non-finalized plans or proposed projects as a “DRAFT” or “PROPOSED.”



# LEGISLATORS AND EXECUTIVE SESSIONS

Members of the Legislature as a member of a legislative committee “shall be permitted” to “attend”:

- (1) **any** executive session
- (2) authorized by the Open Meeting Act
- (3) of **any state** agency, board, or commission
- (4) Whenever the committee has \*jurisdiction over the public body’s actions\*



# LEGALITY OF SECTION 310

[2024 OK 12](#)

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- Section 310 is constitutional. It acts as check to executive power.
- Committee jurisdiction requirement does not concern the substance of any one specific executive session or the public body's actions related to that particular matter. Instead, the focus is on whether the committee has general oversight over the state public body.
- Withdrew 1978 OK AG 144.
- Legislators should be presumed to act in good faith when asserting their right to attend executive session.
- To the extent attorney-client privilege exists, a public body can undertake necessary actions to prevent the legislator from disclosing such communications.
- Public body may exclude legislator if the legislator is suing or has publicly entertained the idea of suing the public body.

25 O.S. 2021, § 310, Yellow Book (26th ed.) 14.



# WHY SHOULD I COMPLY?



# VIOLATIONS OF THE ACT

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## CIVIL REMEDY

- Actions taken in willful violation are ***invalid***.
- Minutes of executive session will be made public when OMA is violated.
- ***Any person*** can bring civil action. Successful party is entitled to reasonable attorney fees.

## CRIMINAL PENALTIES

- Any willful violation, if convicted, is a **misdemeanor**, and is punishable by:
  - Fine up to \$500,
  - One (1) year in the county jail, or
  - Both.

# Remember *F.O.P. v. City of Norman*?

- Following its decision in April 2021, the Oklahoma Supreme Court granted FOP's motion for appeal-related attorney fees.
- In a July 2021 journal entry order, the City of Norman and FOP agreed to just less than \$40,000.00 in attorney fees subject to a post-judgment interest rate of 5.25%.
- Total paid: **\$44,307.07**.

## Source:

<https://www.oscn.net/dockets/GetCaseInformation.aspx?db=Appellate&number=11929>

&

<https://www.oscn.net/dockets/GetCaseInformation.aspx?ct=Cleveland&number=CJ-2020-661> (last visited Sept. 24, 2024).



# ***STATE OF OKLAHOMA V. GOUCHER***

CF-2022-48 (Custer County)

- Former county official indicted by the Multicounty Grand Jury with willful violation of the Open Meeting Act.
- Official pled guilty to charges on September 25, 2023, in exchange for a three-year deferred sentence but also serving 45 days in county jail and restitution in the amount of \$10,000.00. Defendant was not entitled to any extra credit.
- The court also conditioned the defendant's sentence by prohibiting him being employed by "a government entity."

**Source:**

<https://www.oscn.net/dockets/GetCaseInformation.aspx?db=custer&number=CF-2022-00048&cmid=8563836> (last visited Sept. 24, 2024).



# WILLFULNESS

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“Willfulness does not require a showing of bad faith, malice, or wantonness, but rather, encompasses *conscious, purposeful violations of law<sup>1</sup> or blatant or deliberate disregard of the law<sup>2</sup>* by those who know, or should know . . . Notice of meetings of public bodies which are **deceptively vague<sup>1</sup>** or *likely to **mislead<sup>2</sup>*** constitute a willful violation.”

[Rogers v. Excise Bd. of Greer Cnty.](#),  
1984 OK 95, 701 P.2d 754.



Yellow Book (26th ed.) 45.



# “CORRECTING” AN INVALID ACTION

- ❑ Post advance notice,
- ❑ Post agenda timely with accurately worded agenda item, and
- ❑ Take item up, re-vote, and record the decision.



# OVERVIEW

- Public policy and purpose of the ORA.
- What is a record?
- What is public body and official?
- Confidentiality of records.
- Production of records and fees.
- Penalties for violating the Open Records Act.



# PUBLIC POLICY OF THE ACT

*Oklahoma citizens have an “inherent right to know and be fully informed about their government.”*



# PURPOSE OF THE ACT

*“[T]o ensure and facilitate the public’s right of access to and review of government records so they may efficiently and intelligently exercise their inherent political power.”*



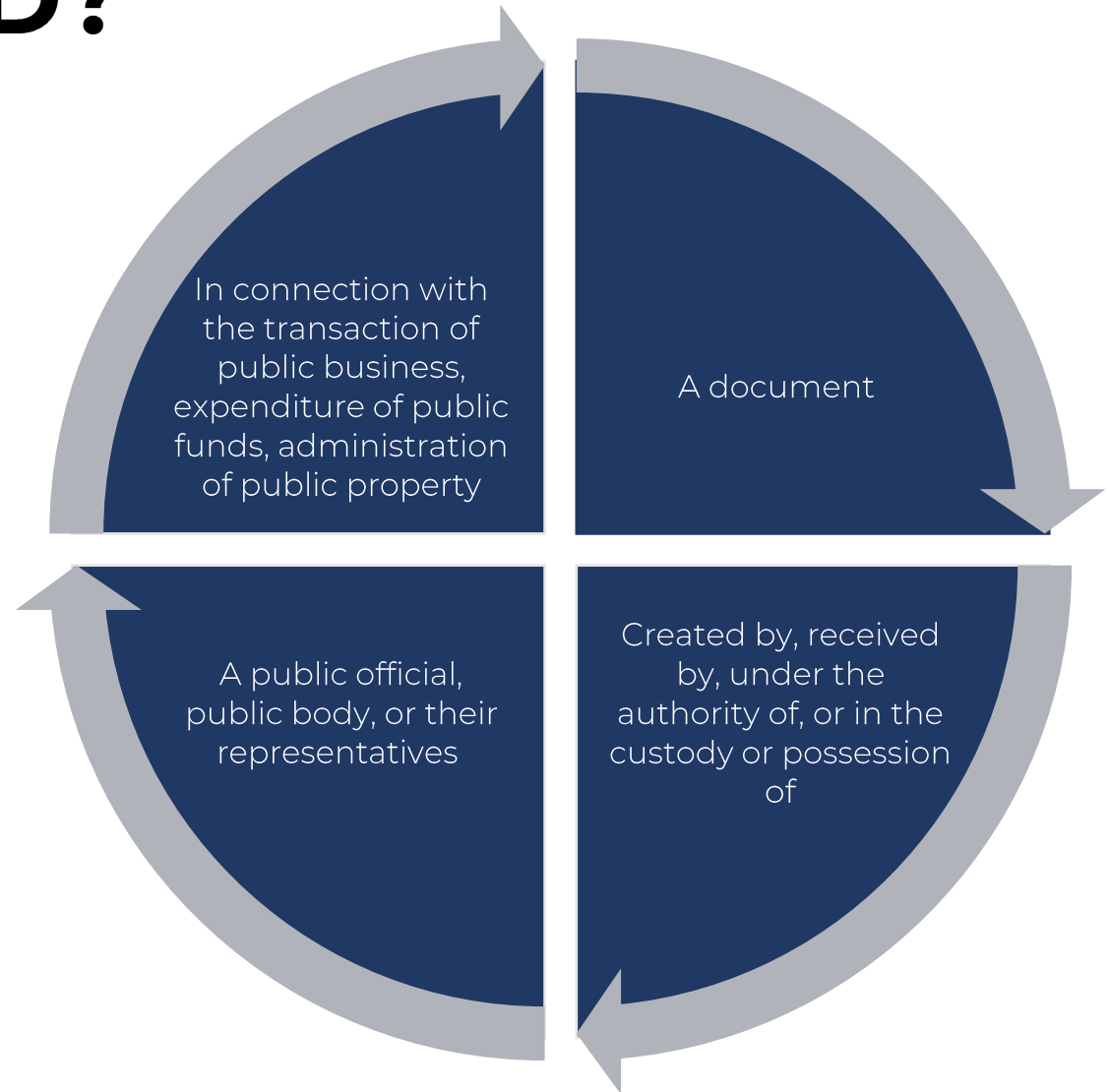
# RECORDS



# WHAT IS A RECORD?

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- The Act defines a “record” broadly; it must only meet these four features.
- **REMEMBER:** “including, but not limited to . . . .”



**51 O.S. 2021, § 24A.2,  
Yellow Book (26<sup>th</sup> ed.) 70.**

# WHAT IS A DOCUMENT?

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- Books
- Papers
- Photographs
- Microfilm
- Certain data files
- Computer tape
- Disks
- Records
- Sound or Film Recordings
- Video recordings
- Emails
- Text messages.

# ELECTRONIC COMMUNICATIONS

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Most electronic communications will not be subject to any privilege or confidentiality and are, broadly speaking, producible.



It's a balancing act between efficiency and protecting governmental records from unwanted disclosure.



It doesn't matter where an electronic communication is on a private or public device if it is a producible public record.



# PUBLIC BODIES AND OFFICIALS

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Public bodies: any office, department, board, bureau, commission, agency, trusteeship, authority, council, committee, trust, municipality, or school district, etc.

Public body **does not** include, judges, justices, Council on Judicial Complaints, the Legislature, or legislators.

Public official:  
Official or employee  
of public body



# LAW ENFORCEMENT AGENCY

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- Must be charged with enforcing state or local criminal laws AND initiating criminal prosecutions
- **ADDED by Senate Bill 535, 2025 Okla. Sess. Laws ch. 404:** state or local fire marshal when investigating potential violations of federal, state, or local criminal laws on behalf of another law enforcement agency.
- Statutorily designated law enforcement agencies—
  - Police departments,
  - DPS,
  - OBNDDC,
  - ABLE Commission, and
  - OSBI.



# WHAT IS A **NOT** A RECORD?

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Computer Software

*Nongovernmental* personal effects



***When a record meets these broad definitions, it is open.***

***A record may, nonetheless, be shielded from disclosure if a specific exemption or exception applies.***



# EXEMPTIONS & EXCEPTIONS



# EXEMPTIONS TO THE OPEN RECORDS ACT

51 O.S.Supp.2024, § 24A.5(1)(a)–(o), Yellow Book (26th ed.) 73–75.

Attorney-client privilege, work product, identify of informer	Executive Sessions authorized under the Open Meetings Act	Personal driver's license information	Board of Medicolegal Investigation Information
Testing materials for state licensure exams	Other state & federal statutes, <i>i.e.</i> FERPA, Juvenile Records	PII of an individual claiming a lottery prize	Personal financial information, credit reports, or other financial data
GPS records re: electronic toll collection systems and A/V recordings of certain activities	DD-Form 214 filed with a county clerk, including any form filed before July 1, 2002	OTRD State Park Guest PII	Certain DPS records
Information to obtain licensure from a state licensing body	Investigation records obtained by OSDH concerning long-term care administration	Documents and other records obtained by OAG and OID regarding pharmacy choice investigations	Records specifically required to be kept confidential by law

# STATE EVIDENTIARY PRIVILEGE: ATTORNEY-CLIENT PRIVILEGE

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The Attorney-Client Privilege generally protects communications made in confidence between privileged persons for the purpose of seeking, obtaining, or providing legal assistance for the client. 12 O.S.2021, §2502(A)(5).

\*Note: The attorney-client privilege for public officers or government agencies is more limited than a private client. Government clients only enjoy the privilege when the communication concerns a pending investigation, claim, or action, when disclosure will seriously impair the ability of the public officer or agency to process the claim or conduct a pending investigation, litigation, or proceeding in the public interest. [12 O.S.2021, § 2502\(D\)\(7\)](#).



# STATE EVIDENTIARY PRIVILEGE: IDENTITY OF INFORMANT

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- To be an informant, the person must furnish information relating to or assisting in an investigation of a possible violation of law to a law enforcement officer.
- Claimable by the public entity to which information is furnished.
- Exception: previous disclosure; material witness; co-defendant; providing testimony relevant to a materials issue.

51 O.S.2021, § 24A.5(1)(a);  
12 O.S.2021, § 2510.



# JUVENILE RECORDS

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The following are confidential, subject to certain exceptions:

- Juvenile court records
- Agency records
- DA records
- Law enforcement records
- Nondirectory education records
- Social records



# EXCEPTIONS

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The Act applies, but these records may be kept from disclosure under the ORA. Here are some records that may be kept confidential—

Certain personnel records

Certain law enforcement records

Personal notes

Voluntarily supplied information to public body

Litigation files & investigatory reports

Federal records

Personal communications related to exercise of constitutional rights

Educational records

Information related to terrorism

# PERSONNEL RECORDS

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Subject to the sole discretion of the public body, it may keep personnel records confidential in two situations:

1. Internal personnel investigations, except final disciplinary action resulting in some action, *i.e.* termination, loss of pay.
2. Cases when disclosure would warrant an invasion of personal privacy.



# PERSONNEL RECORDS (cont'd)

- Public bodies should utilize a balancing test weighing the public's right to know against the employee's right to privacy.
- Protected from disclosure: home addresses, home telephone numbers, Social Security numbers, private email addresses, and private mobile phone numbers of current and former public employees shall not be open to public inspection or disclosure; provided, however, that nothing in this subsection shall be construed to exempt from disclosure public records created using a private email address or private mobile phone.
- Except as may otherwise be confidential by statute, public employees have a right to access their own personnel file.



# LAW ENFORCEMENT RECORDS

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- **General rule under ORA:** records are open.
- **Law enforcement agency rule:** records are confidential, except for those identified in the ORA, if kept.
- Cannot deny access to record previously produced.
- Must be maintained as specified by law.
- If there is no legal requirement to keep the records, records can be retained to the extent necessary for administrative purposes.



# LAW ENFORCEMENT RECORDS

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Arrestee descriptions or mug shots

Arrest facts, including officer & cause

Chronological list of incidents

Incident reports

Crime summaries

Radio logs, including calls dispatched

Conviction information

Disposition of all warrants

Jail registries, including booking info

Audio/video recordings from body/vehicle devices

# LEO RECORDS: REDACTING BEFORE RELEASE

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***Audio or video recordings may be redacted before release to obscure any specific portions that:***

Depict death of a person or body.\*

Depict nudity

Identify minors under 16 y/o.

Depict acts of severe violence resulting in great bodily injury wherein person is “clearly visible.”\*

Depict great bodily injury.\*

Include personal medical information not public.

Undermine assertion of privilege under mental health laws.

Identify alleged victims of sex crimes or domestic violence.

\* Except when effected by law enforcement officer

**[51 O.S.2021, § 24A.8\(A\)\(10\)\(b\)](#), Yellow Book (26th ed.) 85–89.**



# LEO RECORDS: REDACTING BEFORE RELEASE

*(cont'd)*

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Identifies any person providing information to law enforcement or the information provided by that person when person requests anonymity or disclosure of informant or information would be expected to threaten or endanger the physical safety and welfare of informant, informant's property or others or their property.

Undermine assertion of identity of informer privilege.

Includes PII other than name or license plate no official arrested, cited, charged, or issued a written warning.

Includes information that would materially compromise an ongoing criminal investigation.†

Reveals identity of law enforcement officers subject of internal investigation as a result from the event depicted in recording.



# RECORDINGS IN ONGOING CRIMINAL INVESTIGATION

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- Must release unredacted recordings **ten (10) days** after arraignment or initial appearance, whichever occurs first.
- Provides avenue for prosecutor or legal representative charged to grant extension of time for which recording may be kept confidential.
- Prosecutor must show that a material compromise ongoing investigation; or
- Legal representative may argue that release would compromise the right of an accused to a fair trial.
- Court must hold hearing on the request for extension and may only grant up to six (6) month extensions for a cumulative period of no more than eighteen (18) months.
- Avenue for appeal within one hundred and twenty (120) days from recording's creation if no criminal charges brought.

51 O.S.2021, § 24A.8(A)(10)(b)(12)(a–b), Yellow Book (26th ed.) 86–88.



# ONGOING DUTY TO PRODUCE RECORDINGS

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- NOTHING in section 24A.8(1) permits a law enforcement agency from denying records due to a lacking the capability to redact or obscure audio or visual records or (2) relieves the law enforcement agency from producing such records.
- Law enforcement agency must still provide prompt, reasonable access to the records.
- **REMEMBER:** The Open Records Act does not say shall; it says *may*. However, there may still cases in which the “may” is actually a shall (e.g., records of juveniles, non-public privileged health information, mental health/substance abuse health information, and PII).



# LAW ENFORCEMENT RECORDS

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- **Pleadings** in a criminal case may be kept confidential, until filed with the court clerk (unless sealed or otherwise protected). See, e.g., [22 O.S. § 385](#).
- **Traffic collision reports** may be withheld for up to 60 days, but the reports shall be made available as soon as practicable upon request to certain individuals (parties involved in the collision and their legal counsel, law enforcement agency, newspaper, radio, television broadcaster, etc.). [47 O.S. § 40-102](#); [Cumplings, 1993 OK 36, 849 P.2d 1087](#).
- **Dash/Body-mounted camera footage** is an OPEN RECORD but may be subject to redaction pursuant to § 24A.8(A)(9)–(10). See [Ward & Lee, P.L.C. v. City of Claremore, 2014 OK CIV APP 1, 316 P.3d 225](#).



# CONFIDENTIAL LITIGATION FILES AND INVESTIGATIVE REPORTS

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Litigation files and investigatory reports may be kept confidential by–

- Attorney General of the State of Oklahoma,
- Agency attorneys authorized by law,
- Workers' Compensation Commission,
- Office of district attorney of any county, and
- Office of municipal attorney for any municipality



# **HIDE-AND-SEEK: OPEN RECORDS**

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If a record is open under the Act, a public body cannot place it in an investigative or litigation file and make it confidential.



# CONFIDENTIAL PERSONAL NOTES

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A public official may keep confidential his or her personal notes and personally created materials **prior to taking action**.

- Prior to making a recommendation
- Prior to issuing a report.

Any research leading to adoption of public policy or implementation of public project does not fall under this exemption.

**REMEMBER:** Consider disposition schedule; duty to maintain records for a period of time.



# VOLUNTARILY SUPPLIED INFORMATION

Any information, records or other material heretofore voluntarily supplied to any **state** agency, board or commission shall be subject to full disclosure.

\*Exception: if disclosure would give an unfair advantage to competitors or bidders in certain situations delineated in Section 24A.10(B).



# UNFAIR ADVANTAGE

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A public body or official may keep the following records confidential to the extent they may result in unfair advantage to a vendor's or bidder's competitors:

- Bid specifications for competitive bidding prior to publication of the RFP;
- Contents of sealed bids prior to them being opened;
- Computer programs or software but not data thereon;
- Appraisals relating to sale or acquisition of real estate by a public body prior to award of a contract; and
- Prospective location of a private business or industry prior to public disclosure of such prospect except for records otherwise open to inspection such as applications for permits or licenses.



# **TRADE SECRETS, BUSINESS PLANS, etc.**

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Specific public bodies can keep confidential:

- Business plans, feasibility studies, financing proposals, marketing plans, financial statements, or trade secrets submitted by a person or entity seeking economic advise, business development or customized training
- Proprietary information
- Information compiled in response

Cannot keep information confidential if person or entity consents to disclosure



# **'TRADE SECRET' DEFINED**

Information, including a formula, pattern, compilation, program, device, method, technique, or process, that:

- Derives independent economic value, actual or potential, from not being generally known to, and not being readily ascertainable by proper means by, other persons who can obtain economic value from its disclosure or use, and
  - Subject of efforts that are reasonable under the circumstances to maintain its secrecy.
- Trade secrets are privileged. [12 O.S. § 2508.](#)



# CONFIDENTIAL FEDERAL RECORDS

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To the extent federal law requires a public body to keep a record confidential, the following may be kept confidential:

- Records coming into possession of public body from federal government, or
- Records generated or gathered by a public body as required by federal law.



# PERSONAL COMMUNICATIONS RELATING TO EXERCISE OF CONSTITUTIONAL RIGHTS

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- Public body can keep confidential the contents of any communication received by a person exercising their First Amendment right or under article II of the Oklahoma Constitution.
- Public official's written response may be kept confidential to the extent necessary to protect identity of person exercising his or her rights.



# EDUCATIONAL RECORDS

Public educational institutions may keep confidential the following–

- Individual student records,
- Teacher lesson plans, tests and other teaching material, and
- Personal communications concerning individual students.
- If the public educational institution accepts federal funding, the Family Educational Rights and Privacy Act (FERPA) will apply.
- Statistical information that is not identifiable to a particular student and directory information shall be open for public inspection and copying, if kept.
- Student (18 years or older) or parent may request institution to request prior consent before release of directory information.
- Name/Image/Likeness contracts with student athletes



# TERRORISM AND INFRASTRUCTURE

---

Investigative Evidence of plan or scheme to commit terrorism

---

Vulnerability assessments of governmental facilities or public improvements and work papers related to preparing the vulnerability assessment

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Details about deterring or preventing or protecting from an act or threat of terrorism

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Details about responding or remediating after an act of terrorism

---

Investigative evidence of an act of terrorism already committed

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# TERRORISM AND IT

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Design and functional schematics demonstrating relationships or connections between devices or systems

System configuration information

Security monitoring and response equipment placement and configuration

Specific location or placement of systems, components, or devices

System identification numbers, names, or connecting circuits

Business continuity or disaster planning or response plans

Investigative information directly related to security penetrations or denials of service



# TERRORISM DEFINED

- The ORA applies the title 21 definition.
- **Title 21, section 1268.1** defines terrorism as:
  - One or more kidnappings, or other act of violence;
  - Series of acts of violence, resulting in damage to property, person injury or death;
  - Threat of such act or acts that appears to be intended to:
    - Intimidate or coerce a civilian population,
    - Influence governmental policy or conduct by intimidation or coercion, or
    - Retaliate against governmental policy or conduct by intimidation or coercion.



# A FEW MORE EXCEPTIONS TO NOTE

A Protective Order withholding material from the public must include: (1) statement from the court, (2) specific identification of material to be withheld, and (3) a Confidential stamp or label. [51 O.S.2021, § 24A.29.](#)

Court records are open, unless the court seals the record or a portion of it. To seal the record, the court must find a “compelling privacy interest exists which outweighs the public’s interest in the record.” The order sealing the record must be public and must make specific findings of fact and conclusions of law. [51 O.S.2021, § 24A.30.](#)

CLEET and the Department of Public Safety shall keep certain law enforcement training records confidential. 51 O.S.2021, § 24A.8.



# PRODUCTION PROCEDURES





Open to **any** person



Inspection, copying, or  
mechanical reproduction



Prompt, reasonable access



Redaction



Available for release during regular  
business hours\*



Subject to permissible fees

# SIX PILLARS OF PRODUCTION

51 O.S.2021, § 24A.5, Yellow Book (26th ed.) 73, 76–80.



# A REQUEST OF THE REQUESTOR

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- Need to have reasonable basis for information requested.
- The relevant AG opinion has concluded that–
  - Public body can require that the request be put in writing, and
  - Sufficient information for the public body to determine whether the request is for a commercial purpose or whether charges can be imposed.
- The opinion also greenlighted requiring a name and information necessary to contact the requestor about his or her request.
- Cannot make a requester sign a contract.



# RECORD REQUEST FORM

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- **PERMISSIVE.**
- Public bodies may require a requestor to complete and submit a form created or developed by the public body.
- Example fields:
  - Time Frame
  - Ask for specified records
  - Search terms
  - Type of requestor
  - Purpose of request



Open to **any** person



# RECORD REQUESTS

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- Public body responsibilities:
  - Ask for clarification if the request is not reasonably specific.
  - Must engage with requestor to seek information needed to fulfill the request and identify records sought.
- *Reasonable specificity* means—
  - General time frame within which the records were created or transmitted,
  - Identifiable records rather than asking for general information without any qualifiers or other specifications, and
  - Search terms “sufficiently specific to assist public body in identifying requested records.”
- Public body may still deny record if request is still not reasonably specific after attempted engagement.



# CHARGING FEES



Subject to permissible fees

- Public body may charge fee only for recovery of the **reasonable, direct costs** of–
  - Copying, or
  - Mechanical reproduction (printing).
- Fees cannot exceed the following caps–
  - \$0.25 for records printed on 8.5” x 14” or smaller, or
  - \$1.00 for certified copies of records.
- Public body may charge an advance payment of estimated fees. Senate Bill 535, 2025 Okla. Sess. Laws ch. 404.
- Fees must be posted at the principal office **AND** be on file with the county clerk for the county in which public body is located.
- Search fee allowed for: commercial purpose or excessive disruption.
- Reasonable fee to cover direct cost of record search and copying (time).
- **Fees “shall not be used for purpose of discouraging requests for information or obstacles to disclosure.”**



# COMMERCIAL PURPOSE

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- *Merrill v. OTC*, 1992 OK 53, ¶ 12, 831 P.2d 634, 642:  
Appellant intended to use them in his profession and act as a “private attorney general.”
- *County Records, Inc. v. Armstrong*, 2012 OK 60, 299 P.3d 865 (followed by *Texas File, LLC v. Boevers*, 2019 OK CIV APP 20, 437 P.3d 211).  
While the case focused on land records, the Supreme Court evaluated the purpose of the Appellant’s request for records: to sell them for profit.
- Code of Federal Regulations (1 C.F.R. § 602.3)  
“[U]se or purpose that furthers the commercial, trade, or profit interests of the [r]equester.”
- Other Jurisdictions (Arizona, Kentucky, and Illinois)
  - 1) Direct or indirect use of a public record or records,
  - 2) From public record or information derived from any part of record,
  - 3) Any form,
  - 4) Sale, resale, lease, subscription, resale, solicitation, or advertisement for sales or services.



# EXEMPTION FROM FEES

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- Search fees cannot be imposed on news media.
- Search fee also cannot be imposed when release of record is in the public interest including, but not limited to, release to news media, scholars, authors and taxpayers to determine those entrusted with affairs of government are honestly, faithfully, and competently performing job duties.



Subject to permissible fees



# TIMELINE FOR RESPONSES

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PROMPT, REASONABLE ACCESS

What does it mean?

**The answer will always be contextual.**



Inspection, copying, or  
mechanical reproduction



Prompt, reasonable access



# PROMPT, REASONABLE ACCESS

---

Up to several  
business days

> 30 business days



20 potentially responsive  
records over a 30-day period

10,000 potentially responsive  
records over a 2-year period



Prompt, reasonable access

51 O.S.2021, § 24A.5, Yellow Book (26th ed.) 78.



# PRODUCTION OF PUBLIC RECORDS

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Public body is permitted to establish “reasonable procedures” to –

- Protect integrity and organization of records, and
- Prevent excessive disruptions of its essential functions.

Delay in providing access must have nexus solely to time required for preparation of request documents and avoidance of excessive disruptions to public body’s essential functions.



# **PRODUCTION OF PUBLIC RECORDS** (cont'd)

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- A public body cannot unreasonably delay completion of prior requests that will take substantially longer than a more current request. No more “first in, first out.”
- A public body that uploads any records online meets its obligation of providing prompt, reasonable access.



# PRODUCTION OF RECORDS: PUBLIC BODIES OPEN LESS THAN 30 HOURS A WEEK



Available for release during  
regular business hours\*

Public body must post and maintain notice at its principal office and the county clerk where public body is located the following:

- Designate days of week when records are available for inspection, copying, or mechanical reproduction,
- Set forth name, mailing address, and telephone number of employee in charge of records; and
- Describe in detail procedures for obtaining records at least two (2) days of the week, excluding Sunday.

Requestor and public body may agree to a time and date for inspection, copying, or mechanical reproduction outside of the designated time and days described in the written notice.



# NO ADDITIONAL RECORDKEEPING REQUIREMENTS

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- The ORA does not impose additional recordkeeping requirements on public bodies or public officials.
- If a record does not exist, a public body or public official **DOES NOT** have a duty to create one to fulfill an ORA request.
- If a public body or public official does create a record, the newly created record must be maintained for subsequent inspection, copying, or mechanical reproduction.



# REDACTION

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Sometimes the entire record will be exempt, but if redaction is possible, the reasonably segregable portion(s) of a record containing exempt material shall be provided after the exempt portion has been removed.

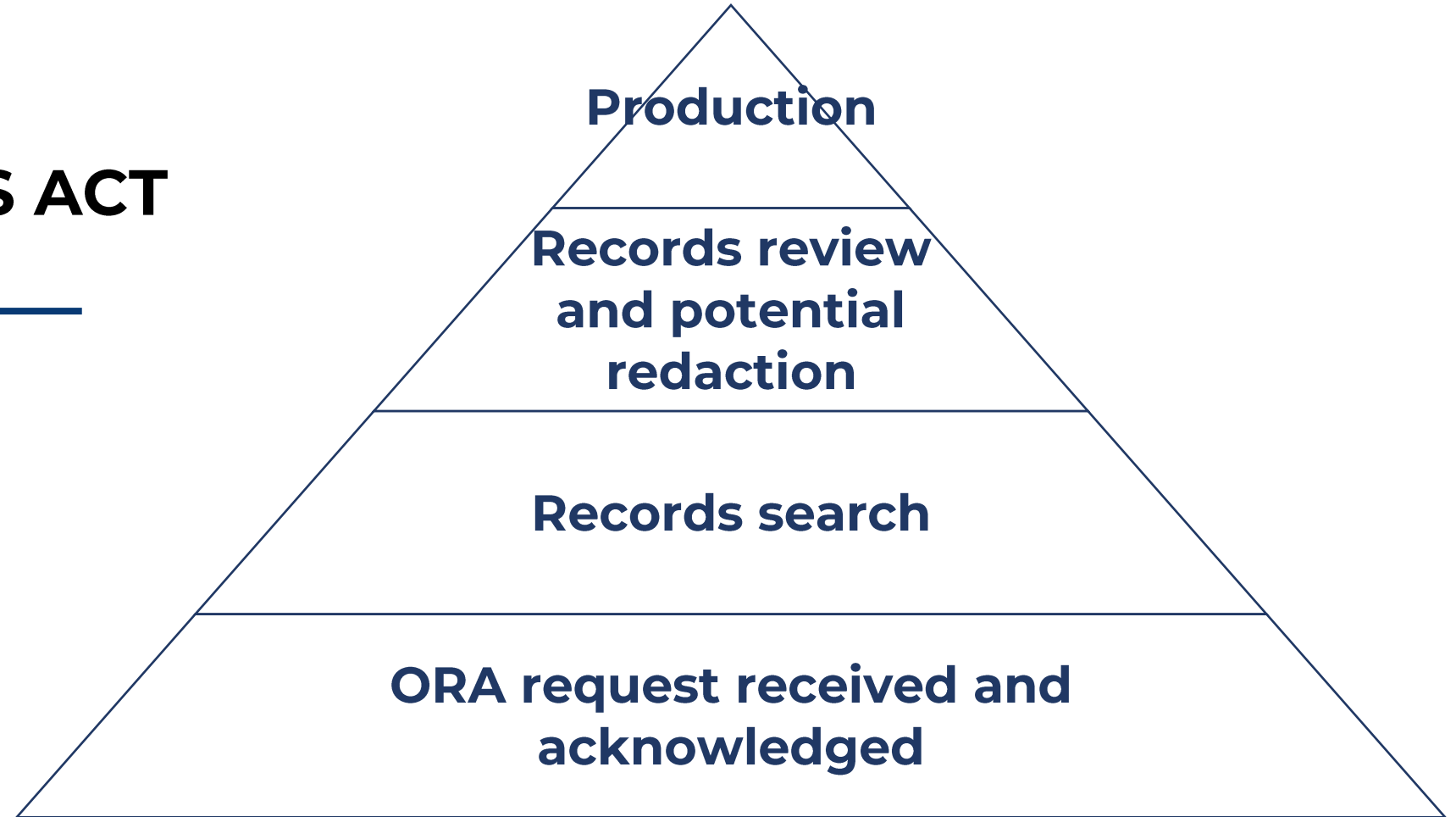


Redaction



# **OPEN RECORDS ACT PROCESS**

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# ***Wagner v. Office of the Sheriff of Custer Cnty.***

[2021 OK CIV APP 20, 492 P.3d 1240](#)

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- Out-of-state requestor asked for records from Custer County Sheriff and for the records to be emailed to him.
- Sheriff refused, stating that he would oblige the requestor with right to inspect, copy, or print the records. Requestor insisted on receiving the records by electronic mail.
- Requestor filed suit seeking relief under §24A.17(B).
- The District Court granted Sheriff's motion for summary judgment. On appeal, the Court of Civil Appeals affirmed the District Court. The court held that the ORA only provides for inspection, copying, or mechanical reproduction. Accordingly, Sheriff did not possess any obligation to email the records to the requestor.



# ***Ross v. City of Owasso (Ross I)***

[2017 OK CIV APP 4, 389 P.3d 396](#)

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- City of Owasso allowed former city manager to resign following investigation into misconduct. The city hired outside counsel to conduct the investigation, which resulted in the creation of an investigative report. The report detailed criminal violations and violations of city policy.
- City manager received generous severance package following approval of settlement with Owasso City Counsel. A former councilmember (Ross) objected based on clause in the city manager's contract that stated he forfeited the severance if he was fired for cause.
- Severance Agreement contained a confidentiality clause as well as a non-disparagement clause.
- COCA ruled that parties cannot, by agreement, keep records confidential and that cannot argue that the record is "not in its possession."



# **Brooke v. Reed**

[2025 OK 86, \\_\\_\\_ P.3d \\_\\_\\_](#)

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- Plaintiff submitted an ORA request to OSDH on March 23, 2020, for public records correspondence between the Governor's Office, OSDH, and the State Epidemiologist.
- He asked for digital copies.
- Brooke filed suit on April 8, 2020, asking for declaratory and injunctive relief in accordance with Section 24A.17.
- The trial court initially denied OSDH's first motion to dismiss.
- Plaintiff clarified at a hearing on his petition for injunctive relief that he actually sought the native files.



# ***Brooke v. Reed* (cont'd)**

2025 OK 86, \_\_\_ P.3d \_\_\_

- Eventually, the trial court granted OSDH's motion for summary judgment, finding that the ORA does not require production of native files.
- The Oklahoma Supreme Court affirmed.
- Paragraph 15: "We find that the ordinary, everyday meaning of "data files" does not include embedded metadata. The term 'data files' is broad, but it does not mean data about data." (emphasis in original).
- Paragraph 22: "We hold that the ORA does not require a public body to provide copies of email records in their native file format."



# ***Lawson v. LeFlore Cnty. Det. Ctr. Pub. Tr. Sec. Comm'n***

[2025 OK 87, \\_\\_\\_ P.3d \\_\\_\\_](#)

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- Plaintiff bail bondsman submitted an ORA request for records related to the bonding and release of two inmates following a verbal altercation between his wife and a jailer.
- The Jail Trust informed Plaintiff that its records were not subject to the Open Records Act specifically in accordance with section 24A.8.
- Jail Trust asserted that the audio and video footage was not subject to mandatory disclosure.
- It also stated that text messages, emails, and other communications did not exist.
- Also argued that its policies and procedures were not an open record.
- Jail also does not maintain a list of employees working at the time.



## **Lawson (cont'd)**

[2025 OK 87, \\_\\_\\_ P.3d \\_\\_\\_](#)

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- Plaintiff sued, specifically arguing that the Jail Trust was not a law enforcement agency as defined by the Open Records Act.
- Both Plaintiff and Jail Trust filed motions for summary judgment.
- The trial court granted the Jail Trust's motion and denied Plaintiff's.
- The Supreme Court retained the appeal on its own motion.
- **Held:** Jail Trust is not a law enforcement agency under the Open Records Act. It does not enforce state or local criminal laws or initiate criminal prosecutions.



# VIOLATIONS OF THE ACT

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## CIVIL REMEDY

- **Requester** denied records can bring petition for declaratory or injunctive relief.
- Petition limited to what records denied; cannot amend petition.
- If successful, requester entitled to reasonable attorney fees.
- If public body succeeds and demonstrates that suit was “clearly frivolous,” public body entitled to reasonable attorney fees.
- Requester must give 10 business day notice to public body and AG before filing petition.

## CRIMINAL PENALTIES

- If convicted, public official is guilty of a **misdemeanor**, and is punishable by:
  - Fine up to \$500,
  - One (1) year in the county jail, or
  - Both.

# PUBLIC ACCESS COUNSELOR

- Three bases for review—
  - Requesting review of public body’s commercial purpose determination,
  - Denial of records (must be 30 days after denial), or
  - Failure to provide prompt, reasonable access
    - 7 business days - 7 business days - 60 calendar days
- Advisory Opinions
  - Issuance of an advisory opinion is subject to the AG’s discretion
  - Public body may ask for an advisory opinion on a question related to a record.
  - Can be requested by the public body, the public body’s administrative head, or its attorney
- Future requests may be denied if a person files multiple frivolous requests.



# **PUBLIC ACCESS COUNSELOR**

## **IMMUNITY**

- If a public body or officials disclose records consistent with an OAG-PAC advisement, a public body or public officials are immune from the Act's penalties and all liabilities as a result of the disclosure.
- If a public body or officials rely in good faith on an advisory opinion, the public body is not liable for penalties under the Act so long as the facts on which the advice was given were fully and fairly disclosed to the OAG-PAC.

## **CONFIDENTIALITY**

- OAG cannot further disclose records a public body or official deems confidential or privileged.
- OAG-PAC work papers, records you provide, correspondence between public body or officials and OAG-PAC regarding advice under section 24A.40.



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# THE END

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If you have a question regarding the applicability of or compliance with these Acts, please consult your respective district attorney, city attorney, or board or agency counsel.

