

STATE OF OKLAHOMA

2nd Session of the 50th Legislature (2006)

COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 2381

By: Cargill

COMMITTEE SUBSTITUTE

An Act relating to schools; stating right of student victims to be separated from student offenders at school and during school transportation; requiring the Office of Juvenile Affairs to notify school districts when a student is adjudicated for certain sex offenses; providing for notification of certain requirements; requiring school districts to notify the victims; allowing victims to elect to be separated from the offender; prohibiting an offender from attending school or riding a school bus with a victim or a sibling of a victim upon request of the victim; allowing offender to transfer to another school within the district or another school district; making an offender responsible for certain costs in certain circumstances; providing for codification; providing an effective date; and declaring an emergency.

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

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 24-100.6 of Title 70, unless there is created a duplication in numbering, reads as follows:

A. Students who have been victims of certain felony offenses by other students, as well as the siblings of the student victims, have the right to be kept separated from the student offender both at school and during school transportation.

B. Notwithstanding any provision of law prohibiting the disclosure of the identity of a minor, whenever any student who is attending public school is adjudicated guilty of or delinquent for, regardless of whether adjudication is withheld, or pleads guilty or nolo contendere to, any sex offense subject to the Sex Offenders Registration Act and, before or at the time of such adjudication,

withholding of adjudication, or plea, the offender was attending a school attended by the victim or a sibling of the victim of the offense, the Office of Juvenile Affairs shall notify the appropriate school district of the adjudication or plea, and the requirements of this section. Upon receipt of such notice, the school district shall notify the victim and parent or guardian of the victim of their right to request to be separated from the offender at school and during school transportation. If the victim requests to be separated from the offender the school district shall take appropriate action to effectuate the provisions of subsection C of this section. The decision of the victim shall be final and not reversible.

C. Any offender described in subsection B of this section shall, upon the request of the victim, not attend any school attended by the victim or a sibling of the victim or ride on a school bus on which the victim or a sibling of the victim is riding. The offender shall be permitted by the school district to attend another school within the district in which the offender resides, provided the other school is not attended by the victim or sibling of the victim. If the offender is unable to attend another school in the district in which the offender resides, the offender shall transfer to another school district pursuant to the provisions of the Education Open Transfer Act.

D. The offender or the parents of the offender, if the offender is a juvenile, shall be responsible for arranging and paying for transportation or any other cost associated with or required to attend another school or that is required as a consequence of the prohibition against attending a school or riding on a school bus on which the victim or a sibling of the victim is attending or riding. However, the offender or the parents of the offender shall not be charged for existing modes of transportation that can be used by the offender at no additional cost to the school district.

SECTION 2. This act shall become effective July 1, 2006.

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

50-2-9476

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