

1 STATE OF OKLAHOMA

2 1st Session of the 51st Legislature (2007)

3 COMMITTEE SUBSTITUTE

4 FOR

5 HOUSE BILL NO. 1051

6 By: Cargill

7 COMMITTEE SUBSTITUTE

8 An Act relating to schools; stating right of student
9 victims to be separated from student offenders at
10 school and during school transportation; requiring
11 the Office of Juvenile Affairs to notify school
12 districts when a student is adjudicated for certain
13 sex offenses; requiring school districts to notify
14 the victims; allowing victims to elect to be
15 separated from the offender; prohibiting an offender
16 from attending school or riding a school bus with a
17 victim or a sibling of a victim upon request of the
18 victim; allowing offender to transfer to another
19 school within the district or another school
20 district; making an offender responsible for certain
21 costs in certain circumstances; providing for
22 codification; providing an effective date; and
23 declaring an emergency.
24

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

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

29 A. Students who have been victims of certain felony offenses by
30 other students, as well as the siblings of the student victims, have
31

1 the right to be kept separated from the student offender both at
2 school and during school transportation.

3 B. Notwithstanding any provision of law prohibiting the
4 disclosure of the identity of a minor, within thirty (30) days of
5 the time of the adjudication or withholding of adjudication of any
6 juvenile offender for any offense subject to the Juvenile Sex
7 Offender Registration Act, either the juvenile bureau in counties
8 which have juvenile bureaus or the Office of Juvenile Affairs in all
9 other counties shall notify the superintendent of the school
10 district in which the juvenile offender is enrolled or intends to
11 enroll of the adjudication and the offense for which the child was
12 adjudicated. Upon receipt of such notice, the school district shall
13 notify the victim and parent or guardian of the victim of their
14 right to request to be separated from the offender at school and
15 during school transportation. If the victim requests to be
16 separated from the offender the school district shall take
17 appropriate action to effectuate the provisions of subsection C of
18 this section. The decision of the victim shall be final and not
19 reversible.

20 C. Any offender described in subsection B of this section
21 shall, upon the request of the victim, not attend any school
22 attended by the victim or a sibling of the victim or ride on a
23 school bus on which the victim or a sibling of the victim is riding.
24 The offender shall be permitted by the school district to attend

1 another school within the district in which the offender resides,
2 provided the other school is not attended by the victim or sibling
3 of the victim. If the offender is unable to attend another school
4 in the district in which the offender resides, the offender shall
5 transfer to another school district pursuant to the provisions of
6 the Education Open Transfer Act.

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

16 SECTION 2. This act shall become effective July 1, 2007.

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

21

22 51-1-7440 KB 03/01/07

23

24