

THE HOUSE OF REPRESENTATIVES  
Monday, March 2, 2009

House Bill No. 2227

HOUSE BILL NO. 2227 - By: JETT AND WRIGHT (HAROLD) of the House and  
LASTER of the Senate.

An Act relating to schools; creating the Teacher Bill of Rights Act; stating purpose; granting certain rights to teachers; listing conferred rights; prohibiting school districts from establishing certain policies; limiting construction of provisions; directing school districts to distribute copies of the Teacher Bill of Rights Act to certain persons and to post copies by certain means; providing for codification; providing for noncodification; and providing an effective date.

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

1 SECTION 1. NEW LAW A new section of law not to be codified in the  
2 Oklahoma Statutes reads as follows:

3 This act shall be known and may be cited as the "Teacher Bill of Rights Act".

4 SECTION 2. NEW LAW A new section of law to be codified in the Oklahoma  
5 Statutes as Section 6-101.7 of Title 70, unless there is created a duplication in  
6 numbering, reads as follows:

7 A. Respecting the authority of teachers is essential to creating an environment  
8 conducive to learning, effective instruction in the classroom, and proper administration  
9 of public schools. To maintain and protect that authority, it is important that teachers,  
10 administrators, parents, and students are fully informed of the various rights conferred  
11 upon teachers pursuant to this section, which are:

1           1. A teacher has the right to teach free from the fear of frivolous lawsuits, including  
2 the right to qualified immunity and to a legal defense, and to indemnification by the  
3 employing school district, pursuant to provisions of the Governmental Tort Claims Act,  
4 for actions taken by the teacher in the performance of the duties of employment;

5           2. A teacher has the right to appropriately discipline students in accordance with  
6 Section 24-100.4 of Title 70 of the Oklahoma Statutes and any school district policy;

7           3. A teacher has the right to remove any persistently disruptive student from the  
8 classroom when the behavior of the student prevents the orderly instruction of other  
9 students or when the student displays impudent or defiant behavior, and to place the  
10 student in the custody of the principal or a designee of the principal pursuant to the  
11 school district policy;

12           4. A teacher has the right to have the professional judgment and discretion of the  
13 teacher respected by school and school district administrators in any disciplinary action  
14 taken by the teacher in accordance with school and district policy and with Section 24-  
15 101.3 of Title 70 of the Oklahoma Statutes;

16           5. A teacher has the right to teach in a safe, secure, and orderly environment that  
17 is conducive to learning and free from recognized dangers or hazards that are causing or  
18 likely to cause serious injury;

19           6. A teacher has the right to be treated with civility and respect;

20           7. A teacher has the right to communicate with and to request the participation of  
21 parents in appropriate student disciplinary decisions pursuant to the school district  
22 policy;

1 8. A teacher has the right to be free from excessively burdensome disciplinary  
2 paperwork; and

3 9. A resident teacher has the right to receive leadership and support in accordance  
4 with Section 6-195 of Title 70 of the Oklahoma Statutes, including the assignment of a  
5 qualified, experienced mentor who commits to helping the resident teacher become a  
6 competent, confident professional in the classroom and offers support and assistance as  
7 needed to meet performance standards and professional expectations.

8 B. A school district board of education shall not establish policies that prevent  
9 teachers from exercising the rights provided in this section or in any other provision of  
10 law.

11 C. The provisions of this section shall not be construed to supersede any other state  
12 law, State Board of Education regulation, or other school district policy enacted or  
13 adopted relative to the discipline of students.

14 D. Each school district board of education shall provide a copy of this section to all  
15 teachers at the beginning of each school year. Each school district shall also post a copy  
16 of the rights provided in this section in a prominent place in every school and  
17 administrative building it operates and provide a copy to parents or legal guardians of all  
18 students enrolled in the school district in a form and manner approved by the board of  
19 education. Each school district and every school under its jurisdiction that maintains an  
20 Internet website shall post on the website a copy of the Teacher Bill of Rights Act  
21 required by this section.

22 SECTION 3. This act shall become effective November 1, 2009.

1 COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS AND BUDGET,  
2 dated 02-26-09 - DO PASS, As Coauthored.