

1 STATE OF OKLAHOMA

2 2nd Session of the 54th Legislature (2014)

3 COMMITTEE SUBSTITUTE

4 FOR

5 HOUSE BILL NO. 2331

By: Cleveland

6
7 COMMITTEE SUBSTITUTE

8 An Act relating to schools; amending 70 O.S. 2011,
9 Section 5-144, as amended by Section 1, Chapter 256,
10 O.S.L. 2013 (70 O.S. Supp. 2013, Section 5-144),
11 which relates to notification to superintendent of
12 filing of indictment or information; requiring
13 notification of arrests; making certain records
14 confidential; and providing an effective date.

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

16 SECTION 1. AMENDATORY 70 O.S. 2011, Section 5-144, as
17 amended by Section 1, Chapter 256, O.S.L. 2013 (70 O.S. Supp. 2013,
18 Section 5-144), is amended to read as follows:

19 Section 5-144. A. When a student of the school district has
20 been arrested for committing an act, which if committed by an adult,
21 would be a felony offense, the arresting agency shall notify the
22 superintendent of the school district in which the student is
23 enrolled of such arrest within twenty-four (24) hours or the next
24 school day, whichever occurs first. Upon release of the student
from custody, the superintendent of the school district shall be

1 notified by the jail of such release as soon as possible but in no
2 event later than twenty-four (24) hours after release or the next
3 school day. Any arrest information provided to the school district
4 shall be confidential and shall not be open to the general public,
5 inspected, or their contents disclosed. Arrest information provided
6 to the school district shall not be included in any of the
7 educational records of the student.

8 B. If in the course of an investigation it is discovered that a
9 person charged in an information or indictment with a felony or
10 violent misdemeanor is a student or employee of a school district or
11 a public school in the state, or an employee working on school
12 property for an entity that provides services to a school district
13 or a public school on school property, with due regard for the
14 provisions of subsection C of Section 2-6-102 of Title 10A of the
15 Oklahoma Statutes, the district attorney shall notify the
16 superintendent of the district of the charges filed against the
17 student or employee. In addition to notifying the superintendent of
18 the district when charges have been filed against an employee of the
19 school district, the district attorney shall notify the State Board
20 of Education.

21 ~~B.~~ C. The school district may take any action it deems
22 necessary that is in compliance with the requirements of the Family
23 Educational Rights and Privacy Act of 1974 with regard to such
24 information.

1 ~~C.~~ D. When an employee of the school district has been
2 convicted, whether upon a verdict or plea of guilty or nolo
3 contendere, or received a suspended sentence or any probationary
4 term for a crime provided for in subparagraph a of paragraph 6 of
5 Section 3-104 of this title, the district court shall notify the
6 State Board of Education of said conviction, if the district court
7 has discovered during the course of the proceedings that the person
8 is an employee of a school district.

9 SECTION 2. This act shall become effective November 1, 2014.

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