

STATE OF OKLAHOMA

1st Session of the 49th Legislature (2003)

HOUSE BILL HB1707

By: Turner

AS INTRODUCED

An Act relating to schools; amending 70 O.S. 2001, Section 5-144, which relates to notification of filing of an information or indictment; requiring law enforcement and district attorney to ascertain certain information and notify school superintendent; permitting certain actions in compliance with certain rights to privacy; providing an effective date; and declaring an emergency.

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

SECTION 1. AMENDATORY 70 O.S. 2001, Section 5-144, is amended to read as follows:

Section 5-144. A. Upon arrest of an individual, the law enforcement agency shall ascertain whether or not the person arrested is a student or employee of a school district, and if the person is a student or employee of a school district, with due regard for the provisions of subsection C of Section 7307-1.2 of Title 10 of the Oklahoma Statutes, the law enforcement agency shall notify the superintendent of the school district of the arrest of the student or employee.

B. Upon filing an information or indictment, ~~if~~ the district attorney ~~is aware that~~ shall ascertain whether or not the person arrested is a student or employee of a school district, and if the person is, with due regard for the provisions of subsection C of Section 7307-1.2 of Title 10 of the Oklahoma Statutes, the district attorney shall notify the superintendent of the district of the charges filed against the student or employee.

C. The school district may take any action it deems necessary that is in compliance with the requirements of the Family Education Right to Privacy Act of 1974 with regard to such information.

SECTION 2. This act shall become effective July 1, 2003.

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.

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