

STATE OF OKLAHOMA

1st Session of the 55th Legislature (2015)

COMMITTEE SUBSTITUTE
FOR ENGROSSED
SENATE BILL NO. 711

By: Sparks of the Senate

and

Denney of the House

COMMITTEE SUBSTITUTE

An Act relating to the Teacher Due Process Act of 1990; amending 70 O.S. 2011, Section 6-101.25, which relates to recommendations to dismiss or not reemploy a teacher; permitting recommendations that meet certain criteria to be forwarded to the State Board of Education; providing for effect if the recommendation is not forwarded; requiring copies to also be forwarded to certain teacher; requiring certain notice to a teacher upon certain request; 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. 2011, Section 6-101.25, is amended to read as follows:

Section 6-101.25. Whenever a superintendent decides to recommend that a teacher employed within the school district be dismissed or not reemployed, the superintendent shall state the recommendation in writing, setting forth the basis for the

1 recommendation, and shall submit such recommendation to the board of
2 education.

3 If the teacher subject to such recommendation is a career
4 teacher, the recommendation shall specify the statutory grounds for
5 which the recommendation is based.

6 If the teacher subject to such recommendation is a probationary
7 teacher, the recommendation shall specify the cause for which the
8 recommendation is based.

9 If the recommendation includes grounds that could form the basis
10 of criminal charges sufficient to result in the denial or revocation
11 of a certificate for a reason set forth in subparagraph a of
12 paragraph 6 of Section 3-104 of this title, a copy of the
13 recommendation should also be forwarded to the State Board of
14 Education. Failure to forward a copy of the recommendation to the
15 State Board of Education shall not be the basis for any claim or
16 action against a public school, its board of education, employees,
17 agents or other representatives. If a copy of the recommendation is
18 forwarded to the State Board of Education, a copy of the
19 recommendation shall be forwarded to the teacher subject to such
20 recommendation. If a request for a copy of the recommendation is
21 submitted to the State Board of Education, the teacher subject to
22 such recommendation shall be notified of the request and the
23 identity of the person who made such request.
24

1 The superintendent shall also specify the underlying facts
2 supporting the recommendation.

3 SECTION 2. This act shall become effective July 1, 2015.

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

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9 55-1-7183 KB 03/24/15