

1 STATE OF OKLAHOMA

2 1st Session of the 56th Legislature (2017)

3 HOUSE BILL 1610

By: Enns

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5  
6 AS INTRODUCED

7 An Act relating to schools; amending 70 O.S. 2011,  
8 Section 24-100.4, as last amended by Section 1,  
9 Chapter 277, O.S.L. 2016 (70 O.S. Supp. 2016, Section  
10 24-100.4), which relates to school district  
11 disciplinary and dress code policies; deleting  
12 certain optional dress code provisions; requiring  
13 school districts to adopt a dress code that mandates  
14 school uniforms; specifying that school uniforms be  
15 phased in by certain grades; directing each board of  
16 education to address affordability and availability  
17 of school uniforms; authorizing each board of  
18 education to offer financial assistance; and  
19 providing an effective date.

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

21 SECTION 1. AMENDATORY 70 O.S. 2011, Section 24-100.4, as  
22 last amended by Section 1, Chapter 277, O.S.L. 2016 (70 O.S. Supp.  
23 2016, Section 24-100.4), is amended to read as follows:

24 Section 24-100.4 A. Each district board of education shall  
adopt a policy for the discipline of all children attending public  
school in that district, and for the investigation of reported  
incidents of bullying. The policy shall provide options for the

1 discipline of the students and shall define standards of conduct to  
2 which students are expected to conform. The policy shall:

3 1. Specifically address bullying by students at school and by  
4 electronic communication, if the communication is specifically  
5 directed at students or school personnel and concerns bullying at  
6 school;

7 2. Contain a procedure for reporting an act of bullying to a  
8 school official or law enforcement agency, including a provision  
9 that permits a person to report an act anonymously. No formal  
10 disciplinary action shall be taken solely on the basis of an  
11 anonymous report;

12 3. Contain a requirement that any school employee that has  
13 reliable information that would lead a reasonable person to suspect  
14 that a person is a target of bullying shall immediately report it to  
15 the principal or a designee of the principal;

16 4. Contain a statement of how the policy is to be publicized  
17 including a requirement that:

18 a. an annual written notice of the policy be provided to  
19 parents, guardians, staff, volunteers and students,  
20 with age-appropriate language for students,

21 b. notice of the policy be posted at various locations  
22 within each school site, including but not limited to  
23 cafeterias, school bulletin boards, and administration  
24 offices,

1           c.    the policy be posted on the Internet website for the  
2                school district and each school site that has an  
3                Internet website, and

4           d.    the policy be included in all student and employee  
5                handbooks;

6           5.    Require that appropriate school district personnel involved  
7                in investigating reports of bullying make a determination regarding  
8                whether the conduct is actually occurring;

9           6.    Contain a procedure for providing timely notification to the  
10                parents or guardians of a victim of documented and verified bullying  
11                and to the parents or guardians of the perpetrator of the documented  
12                and verified bullying;

13          7.    Identify by job title the school official responsible for  
14                enforcing the policy;

15          8.    Contain procedures for reporting to law enforcement all  
16                documented and verified acts of bullying which may constitute  
17                criminal activity or reasonably have the potential to endanger  
18                school safety;

19          9.    Require annual training for administrators and school  
20                employees as developed and provided by the State Department of  
21                Education in preventing, identifying, responding to and reporting  
22                incidents of bullying;

23          10.   Provide for an educational program as designed and  
24                developed by the State Department of Education and in consultation

1 with the Office of Juvenile Affairs for students and parents in  
2 preventing, identifying, responding to and reporting incidents of  
3 bullying;

4 11. Establish a procedure for referral of a person who commits  
5 an act of bullying to a delinquency prevention and diversion program  
6 administered by the Office of Juvenile Affairs;

7 12. Address prevention by providing:

- 8 a. consequences and remedial action for a person who  
9 commits an act of bullying,
- 10 b. consequences and remedial action for a student found  
11 to have falsely accused another as a means of  
12 retaliation, reprisal or as a means of bullying, and
- 13 c. a strategy for providing counseling or referral to  
14 appropriate services, including guidance, academic  
15 intervention, and other protection for students, both  
16 targets and perpetrators, and family members affected  
17 by bullying, as necessary;

18 13. Establish a procedure for:

- 19 a. the investigation, determination and documentation of  
20 all incidents of bullying reported to school  
21 officials,
- 22 b. identifying the principal or a designee of the  
23 principal as the person responsible for investigating  
24 incidents of bullying,

- c. reporting the number of incidents of bullying, and
- d. determining the severity of the incidents and their potential to result in future violence;

14. Establish a procedure whereby, upon completing an investigation of bullying, a school may recommend that available community mental health care, substance abuse or other counseling options be provided to the student, if appropriate; and

15. Establish a procedure whereby a school may request the disclosure of any information concerning students who have received mental health, substance abuse, or other care pursuant to paragraph 14 of this subsection that indicates an explicit threat to the safety of students or school personnel, provided the disclosure of the information does not violate the requirements and provisions of the Family Educational Rights and Privacy Act of 1974, the Health Insurance Portability and Accountability Act of 1996, Section 2503 of Title 12 of the Oklahoma Statutes, Section 1376 of Title 59 of the Oklahoma Statutes, or any other state or federal laws regarding the disclosure of confidential information.

B. In developing the policy, the district board of education shall make an effort to involve the teachers, parents, administrators, school staff, school volunteers, community representatives, local law enforcement agencies and students. The students, teachers, and parents or guardian of every child residing within a school district shall be notified by the district board of

1 education of its adoption of the policy and shall receive a copy  
2 upon request. The school district policy shall be implemented in a  
3 manner that is ongoing throughout the school year and is integrated  
4 with other violence prevention efforts.

5 C. The teacher of a child attending a public school shall have  
6 the same right as a parent or guardian to control and discipline  
7 such child according to district policies during the time the child  
8 is in attendance or in transit to or from the school or any other  
9 school function authorized by the school district or classroom  
10 presided over by the teacher.

11 D. Except concerning students on individualized education plans  
12 (IEP) pursuant to the Individuals with Disabilities Education Act  
13 (IDEA), P.L. No. 101-476, the State Board of Education shall not  
14 have authority to prescribe student disciplinary policies for school  
15 districts or to proscribe corporal punishment in the public schools.  
16 The State Board of Education shall not have authority to require  
17 school districts to file student disciplinary action reports more  
18 often than once each year and shall not use disciplinary action  
19 reports in determining a school district's or school site's  
20 eligibility for program assistance including competitive grants.

21 E. ~~The~~ No later than the beginning of the 2018-2019 school  
22 year, the board of education of each school district in this state  
23 shall ~~have the option of adopting a dress code for students enrolled~~  
24 ~~in the school district. The board of education of a school district~~

1 ~~shall also have the option of adopting a dress code which includes~~  
2 adopt a dress code that requires students to wear school uniforms.

3 The policy shall require each student in:

4 1. Grades kindergarten through grade five to wear school  
5 uniforms while attending classes beginning with the 2018-2019 school  
6 year;

7 2. Grade six to wear school uniforms while attending classes  
8 beginning with the 2019-2020 school year;

9 3. Grade seven to wear school uniforms while attending classes  
10 beginning with the 2020-2021 school year;

11 4. Grade eight to wear school uniforms while attending classes  
12 beginning with the 2021-2022 school year;

13 5. Grade nine to wear school uniforms while attending classes  
14 beginning with the 2022-2023 school year;

15 6. Grade ten to wear school uniforms while attending classes  
16 beginning with the 2023-2024 school year;

17 7. Grade eleven to wear school uniforms while attending classes  
18 beginning with the 2024-2025 school year; and

19 8. Grade twelve to wear school uniforms while attending classes  
20 beginning with the 2025-2026 school year.

21 Each board of education shall take steps to ensure that the  
22 adopted school uniforms are affordable and available for all  
23 students in the school district and may implement a program to help  
24

1 students who need financial assistance, as determined by the board,  
2 in purchasing the school uniforms.

3 F. The board of education of each school district in this state  
4 shall have the option of adopting a procedure that requires students  
5 to perform campus-site service for violating the district's policy.

6 G. The State Board of Education shall:

7 1. Promulgate rules for periodically monitoring school  
8 districts for compliance with this section and providing sanctions  
9 for noncompliance with this section;

10 2. Establish and maintain a central repository for the  
11 collection of information regarding documented and verified  
12 incidents of bullying; and

13 3. Publish a report annually on the State Department of  
14 Education website regarding the number of documented and verified  
15 incidents of bullying in the public schools in the state.

16 SECTION 2. This act shall become effective November 1, 2017.

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18 56-1-6476 AM 01/03/17  
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