

STATE OF OKLAHOMA

2nd Session of the 58th Legislature (2022)

SENATE BILL 1653

By: Jett

AS INTRODUCED

An Act relating to school employees; providing definition; requiring certain notification if an individual employed by certain school is being investigated for, has been arrested in relation to, or has been charged with certain offenses; requiring certain board of education to suspend the employee pending certain outcome; prohibiting suspension from depriving certain employee of certain compensation and benefits; prohibiting the employee from being on school premises during suspension term; providing for extension of suspension under certain circumstances; requiring certain superintendent to provide certain notification; requiring notification to include certain statement; providing for promulgation of rules; providing for codification; providing an effective date; and declaring an emergency.

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

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 6-103.16 of Title 70, unless there is created a duplication in numbering, reads as follows:

A. As used in this section, "offenses against students" means crimes or attempts to commit crimes provided for in Section 843.5 of Title 21 of the Oklahoma Statutes if the offense involved sexual abuse or sexual exploitation as those terms are defined in Section

1 1-1-105 of Title 10A of the Oklahoma Statutes, Section 741, 843.1,  
2 if the offense included sexual abuse or sexual exploitation, 865 et  
3 seq., 885, 888, 891, 1021, 1021.2, 1021.3, 1040.13a, 1087, 1088,  
4 1111.1, 1114, or 1123 of Title 21 of the Oklahoma Statutes.

5 B. If an individual employed by a public school district,  
6 public charter school, or public virtual charter school in this  
7 state:

8 1. Is being investigated for or has been arrested in relation  
9 to offenses against students; or

10 2. Has been charged with offenses against students,  
11 the law enforcement agency involved in the investigation, arrest, or  
12 charging shall notify the superintendent of the employing school  
13 district and the members of the board of education of the employing  
14 school district.

15 C. 1. Upon receiving a notification as provided for in  
16 subsection B of this section, the board of education of the  
17 employing school district shall suspend the school employee without  
18 notice or hearing pending the outcome of the law enforcement  
19 investigation. However, the suspension shall not deprive the  
20 employee of any compensation or other benefits to which he or she is  
21 otherwise entitled. The employee shall not be allowed on school  
22 premises during the term of suspension.

23 2. In a case involving a criminal charge or indictment, the  
24 suspension may extend until the case for the employee is finally  
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1 adjudicated at trial. The extension shall not include any appeal  
2 process.

3 D. Upon receiving a notification as provided for in subsection  
4 B of this section, the superintendent of the employing school  
5 district shall notify the parents and legal guardians of students  
6 enrolled in the school district. The notification shall include a  
7 statement explaining that the school employee is presumed innocent  
8 until and unless proven guilty.

9 E. The State Board of Education shall promulgate rules to  
10 implement the provisions of this section.

11 SECTION 2. This act shall become effective July 1, 2022.

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

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