

1 STATE OF OKLAHOMA

2 2nd Session of the 58th Legislature (2022)

3 HOUSE BILL 4318

By: Stearman

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6 AS INTRODUCED

7 An Act relating to the Parents' Bill of Rights;
8 amending 25 O.S. 2021, Section 2002, which relates to
9 parental rights; including right to attend meetings
10 pertaining to education of a minor child; and
11 providing an effective date.

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

13 SECTION 1. AMENDATORY 25 O.S. 2021, Section 2002, is
14 amended to read as follows:

15 Section 2002. A. All parental rights are reserved to a parent
16 of a minor child without obstruction or interference from this
17 state, any political subdivision of this state, any other
18 governmental entity or any other institution, including, but not
19 limited to, the following rights:

20 1. The right to direct the education of the minor child,
21 including but not limited to the right to attend all meetings
22 pertaining to the education of the minor child including but not
23 limited to meetings of the State Board of Education, the local
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1 school district, or any other such meeting where education of the
2 minor child is discussed or determined;

3 2. All rights of parents identified in Title 70 of the Oklahoma
4 Statutes, including the right to access and review all school
5 records relating to the minor child;

6 3. The right to direct the upbringing of the minor child;

7 4. The right to direct the moral or religious training of the
8 minor child;

9 5. The right to make health care decisions for the minor child,
10 unless otherwise prohibited by law;

11 6. The right to access and review all medical records of the
12 minor child unless otherwise prohibited by law or the parent is the
13 subject of an investigation of a crime committed against the minor
14 child and a law enforcement official requests that the information
15 not be released;

16 7. The right to consent in writing before a biometric scan of
17 the minor child is made, shared or stored;

18 8. The right to consent in writing before any record of the
19 minor child's blood or deoxyribonucleic acid (DNA) is created,
20 stored or shared, except as required by Sections 1-516 and 1-524.1
21 of Title 63 of the Oklahoma Statutes, or unless authorized pursuant
22 to a court order;

23 9. The right to consent in writing before the state or any of
24 its political subdivisions makes a video or voice recording of the

1 minor child, unless the video or voice recording is made during or
2 as a part of a court proceeding, by law enforcement officers during
3 or as part of a law enforcement investigation, during or as part of
4 a forensic interview in a criminal or Department of Human Services
5 investigation or to be used solely for any of the following:

- 6 a. safety demonstrations, including the maintenance of
7 order and discipline in the common areas of a school
8 or on student transportation vehicles,
- 9 b. a purpose related to a legitimate academic or
10 extracurricular activity,
- 11 c. a purpose related to regular classroom instruction,
- 12 d. security or surveillance of buildings or grounds, and
- 13 e. a photo identification card; and

14 10. The right to be notified promptly if an employee of this
15 state, any political subdivision of this state, any other
16 governmental entity or any other institution suspects that a
17 criminal offense has been committed against the minor child by
18 someone other than a parent, unless the incident has first been
19 reported to law enforcement and notification of the parent would
20 impede a law enforcement or Department of Human Services
21 investigation. This paragraph does not create any new obligation
22 for school districts and charter schools to report misconduct
23 between students at school, such as fighting or aggressive play,
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1 that is routinely addressed as a student disciplinary matter by the
2 school.

3 B. This section does not authorize or allow a parent to engage
4 in conduct that is unlawful or to abuse or neglect a child in
5 violation of the laws of this state. This section shall not be
6 construed to apply to a parental action or decision that would end
7 life. This section does not prohibit courts, law enforcement
8 officers or employees of a government agency responsible for child
9 welfare from acting in their official capacity within the reasonable
10 and prudent scope of their authority. This section does not
11 prohibit a court from issuing an order that is otherwise permitted
12 by law.

13 C. Any attempt to encourage or coerce a minor child to withhold
14 information from the child's parent shall be grounds for discipline
15 of an employee of this state, any political subdivision of this
16 state or any other governmental entity, except for law enforcement
17 personnel.

18 D. Unless those rights have been legally waived or legally
19 terminated, parents have inalienable rights that are more
20 comprehensive than those listed in this section. The Parents' Bill
21 of Rights does not prescribe all rights of parents. Unless
22 otherwise required by law, the rights of parents of minor children
23 shall not be limited or denied. The Parents' Bill of Rights shall
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1 not be construed to apply to a parental action or decision that
2 would end life.

3 SECTION 2. This act shall become effective November 1, 2022.

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