

1 ENGROSSED SENATE  
2 BILL NO. 126

By: Bullard of the Senate

3 and

4 Conley of the House

5  
6 [ students - notification - records - effective  
7 date -

emergency ]

8  
9  
10 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

11 SECTION 1. AMENDATORY 70 O.S. 2021, Section 5-144, is  
12 amended to read as follows:

13 Section 5-144. A. If in the course of an investigation it is  
14 discovered that a person charged in an information or indictment  
15 with a felony or violent misdemeanor is ~~a student or~~ an employee of  
16 a school district or a public school in the state, or an employee  
17 working on school property for an entity that provides services to a  
18 school district or a public school on school property, ~~with due~~  
19 ~~regard for the provisions of subsection C of Section 2-6-102 of~~  
20 ~~Title 10A of the Oklahoma Statutes~~, the district attorney shall  
21 notify the superintendent of the district of the charges filed  
22 against the ~~student or~~ employee. In addition to notifying the  
23 superintendent of the district when charges have been filed against  
24

1 an employee of the school district, the district attorney shall  
2 notify the State Board of Education.

3       B. If in the course of an arrest for a violent crime, as  
4 defined by Section 571 of Title 57 of the Oklahoma Statutes, it is  
5 discovered that the person being arrested is a student of a school  
6 district or public school in this state, the arresting law  
7 enforcement agency shall notify the superintendent of the school  
8 district or public school in which the student is enrolled. The  
9 notification of the arrest and any information regarding the  
10 adjudication of the student shall be conducted with due regard for  
11 the provisions of subsection C of Section 2-6-102 of Title 10A of  
12 the Oklahoma Statutes. The notification and related information  
13 shall be kept as part of the student's permanent records and shall  
14 only be included in the records provided to a receiving district due  
15 to a student transfer conducted pursuant to the Education Open  
16 Transfer Act if the student is convicted of or pleads guilty or nolo  
17 contendere to a violent crime.

18       C. Beginning with the 2023-2024 school year, each school  
19 district shall include in its student enrollment and transfer  
20 documentation a request for information regarding any arrest of a  
21 student for a violent crime, as defined by Section 571 of Title 57  
22 of the Oklahoma Statutes. Failure to provide information requested  
23 pursuant to this subsection shall not prohibit the enrollment or  
24 transfer of a student.

1        D. The school district may take any action it deems necessary  
2 that is in compliance with the requirements of the Family  
3 Educational Rights and Privacy Act of 1974 with regard to such  
4 information.

5        ~~C.~~ E. When an employee of the school district has been  
6 convicted, whether upon a verdict or plea of guilty or nolo  
7 contendere, or received a suspended sentence or any probationary  
8 term for a crime provided for in subparagraph a of paragraph 6 of  
9 Section 3-104 of this title, the district court shall notify the  
10 State Board of Education of ~~said~~ the conviction, if the district  
11 court has discovered during the course of the proceedings that the  
12 person is an employee of a school district.

13        SECTION 2. This act shall become effective July 1, 2023.

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

1 Passed the Senate the 22nd day of March, 2023.

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3 \_\_\_\_\_  
4 Presiding Officer of the Senate

5 Passed the House of Representatives the \_\_\_\_ day of \_\_\_\_\_,  
6 2023.

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8 \_\_\_\_\_  
9 Presiding Officer of the House  
10 of Representatives