

1 ENGROSSED HOUSE
2 BILL NO. 2260

By: Sterling and Wallace of the
House

3 and

4 Floyd of the Senate
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8 An Act relating to schools; amending 70 O.S. 2021,
9 Section 6-101.25, which relates to recommendations of
the superintendent; including additional situations
10 related to certain recommendations for revoking
licenses may be made; describing said situations; and
11 providing an effective date.
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13 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

14 SECTION 1. AMENDATORY 70 O.S. 2021, Section 6-101.25, is
15 amended to read as follows:

16 Section 6-101.25 A. Whenever a superintendent decides to
17 recommend that a teacher employed within the school district be
18 dismissed or not reemployed, the superintendent shall state the
19 recommendation in writing, setting forth the basis for the
20 recommendation, and shall submit such recommendation to the board of
21 education.

22 If the teacher subject to such recommendation is a career
23 teacher, the recommendation shall specify the statutory grounds for
24 which the recommendation is based.

1 If the teacher subject to such recommendation is a probationary
2 teacher, the recommendation shall specify the cause for which the
3 recommendation is based.

4 The superintendent shall also specify the underlying facts
5 supporting the recommendation.

6 B. If the recommendation includes grounds that could form the
7 basis of criminal charges sufficient to result in the denial or
8 revocation of a certificate for a reason set forth in subparagraph a
9 of paragraph 6 of subsection A of Section 3-104 of this title, or if
10 the recommendation includes a reason set forth in subparagraph a of
11 paragraph 6 of subsection A of Section 3-104 of this title and is
12 based on an agreement between the teacher and school district to
13 avoid civil litigation or a settlement of a civil action unless the
14 court orders the terms of such settlement to be kept confidential, a
15 copy of the recommendation shall also be forwarded to the State
16 Board of Education after the completion of due process procedures
17 pursuant to Section 6-101.26 of this title or after the teacher
18 resigns. Failure to forward a copy of the recommendation to the
19 State Board of Education shall not be the basis for any claim or
20 action against a public school, its board of education, employees,
21 agents or other representatives. If the school district forwards a
22 copy of the recommendation to the State Board of Education, the
23 school district shall contemporaneously forward a copy to the
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1 teacher subject to such recommendation. The teacher may provide
2 supplementary information to the State Board of Education.

3 C. Only school districts may request a copy of the
4 recommendation from the State Board of Education, and only if a
5 teacher is being considered for new employment or a teacher is
6 currently employed by the requesting school district. The State
7 Board of Education shall notify the teacher subject to the
8 recommendation if such a request is made and provide the identity of
9 the school district that made such request. The State Board of
10 Education shall provide the requesting school district documents
11 related to the recommendation as well as any supplementary
12 information provided by the teacher subject to the recommendation,
13 and copies shall be contemporaneously forwarded to the teacher
14 subject to the recommendation. Records provided to a requesting
15 school district pursuant to this subsection shall be kept
16 confidential.

17 D. Except as provided for in subsection C of this section, the
18 State Board of Education shall keep recommendations submitted
19 pursuant to subsection B of this section confidential. Records
20 created pursuant to this section shall not be subject to disclosure
21 under the Oklahoma Open Records Act.

22 E. If the State Board of Education or a school district that
23 generated or received documents pursuant to subsection C of this
24 section is served a subpoena requesting disclosure of the documents,

1 the teacher subject to the recommendation shall immediately be
2 notified and be provided the opportunity to object to the subpoena.

3 SECTION 2. This act shall become effective November 1, 2023.

4 Passed the House of Representatives the 7th day of March, 2023.

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7 Presiding Officer of the House
of Representatives

8 Passed the Senate the ____ day of _____, 2023.

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11 Presiding Officer of the Senate