

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 1st Session of the 59th Legislature (2023)

4 COMMITTEE SUBSTITUTE
5 FOR
6 HOUSE BILL NO. 2260

By: Sterling and **Wallace**

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8 COMMITTEE SUBSTITUTE

9 An Act relating to schools; amending 70 O.S. 2021,
10 Section 6-101.25, which relates to recommendations of
11 the superintendent; including additional situations
12 certain recommendations for revoking licenses may be
13 made; describing said situations; and providing an
14 effective date.

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

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

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

1 If the teacher subject to such recommendation is a career
2 teacher, the recommendation shall specify the statutory grounds for
3 which the recommendation is based.

4 If the teacher subject to such recommendation is a probationary
5 teacher, the recommendation shall specify the cause for which the
6 recommendation is based.

7 The superintendent shall also specify the underlying facts
8 supporting the recommendation.

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

1 recommendation to the State Board of Education, the school district
2 shall contemporaneously forward a copy to the teacher subject to
3 such recommendation. The teacher may provide supplementary
4 information to the State Board of Education.

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

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

1 E. If the State Board of Education or a school district that
2 generated or received documents pursuant to subsection C of this
3 section is served a subpoena requesting disclosure of the documents,
4 the teacher subject to the recommendation shall immediately be
5 notified and be provided the opportunity to object to the subpoena.

6 SECTION 2. This act shall become effective November 1, 2023.
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8 COMMITTEE REPORT BY: COMMITTEE ON COMMON EDUCATION, dated 02/22/2023
9 - DO PASS, As Amended and Coauthored.
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