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February 14, 2023

**AS AMENDED**

SENATE BILL NO. 126

By: Bullard

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[ students - notification - records - effective date
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emergency ]

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

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

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

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 and shall be kept as part of the student's  
13 permanent records and included in the records provided to a  
14 receiving district due to a student transfer conducted pursuant to  
15 the Education Open Transfer Act.

16       C. Beginning with the 2023-2024 school year, prior to  
17 enrollment of a student in a public school in this state, the  
18 student's parent or legal guardian shall notify the school if the  
19 student has been arrested for a violent crime, as defined by Section  
20 571 of Title 57 of the Oklahoma Statutes.

21       D. The school district may take any action it deems necessary  
22 that is in compliance with the requirements of the Family  
23 Educational Rights and Privacy Act of 1974 with regard to such  
24 information.

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

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

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

14 COMMITTEE REPORT BY: COMMITTEE ON EDUCATION  
15 February 14, 2023 - DO PASS AS AMENDED  
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