

**COMMITTEE AMENDMENT**  
HOUSE OF REPRESENTATIVES  
State of Oklahoma

SPEAKER:

CHAIR:

I move to amend HB3885 \_\_\_\_\_ Of the printed Bill  
Page \_\_\_\_\_ Section \_\_\_\_\_ Lines \_\_\_\_\_  
\_\_\_\_\_  
Of the Engrossed Bill

By deleting the content of the entire measure, and by inserting in lieu  
thereof the following language:

**AMEND TITLE TO CONFORM TO AMENDMENTS**

Adopted: \_\_\_\_\_

Amendment submitted by: Josh Cantrell \_\_\_\_\_

Reading Clerk

1 STATE OF OKLAHOMA

2 2nd Session of the 60th Legislature (2026)

3 PROPOSED POLICY  
4 COMMITTEE SUBSTITUTE  
5 FOR  
6 HOUSE BILL NO. 3885

7  
8 By: Cantrell

9 PROPOSED POLICY COMMITTEE SUBSTITUTE

10 An Act relating to schools; amending 70 O.S. 2021,  
11 Sections 6-149.7 and 24-101.3, which relate to  
12 student suspensions; subjecting certain students in  
grades three through five to school suspensions;  
allowing modification of certain suspension terms;  
mandating certain suspension and expulsion protocols  
for certain offenses; updating reference; providing  
an effective date; and declaring an emergency.

13  
14 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

15 SECTION 1. AMENDATORY 70 O.S. 2021, Section 6-149.7, is  
16 amended to read as follows:

17 Section 6-149.7. A. No student enrolled in a school shall  
18 assault, attempt to cause physical bodily injury, or act in a manner  
19 that could reasonably cause bodily injury to an education employee  
20 or a person who is volunteering for the school. Any student in  
21 grades three through five who violates the provisions of this  
22 section shall be subject to suspension as provided for in Section  
23 24-101.3 of this title. Such term of suspension may be modified by

1     the district superintendent on a case-by-case basis. Any student in  
2     grades six through twelve who violates the provisions of this  
3     section shall be subject to out-of-school suspension as provided for  
4     in Section 24-101.3 of this title. This section shall be in  
5     addition to and does not limit the criminal liability of a person  
6     who causes or commits an assault, battery, or assault and battery  
7     upon a school employee as provided for in Section 650.7 of Title 21  
8     of the Oklahoma Statutes.

9                 B. No education employee shall be liable for the use of  
10                necessary and reasonable force to control and discipline a student  
11                during the time the student is in attendance at the school or in  
12                transit to or from the school, or any other function authorized by  
13                the school district.

14                 SECTION 2.        AMENDATORY        70 O.S. 2021, Section 24-101.3, is  
15                amended to read as follows:

16                 Section 24-101.3. A. Any student who is guilty of an act  
17                described in paragraph 1 of subsection C of this section may be  
18                suspended out-of-school in accordance with the provisions of this  
19                section. Each school district board of education shall adopt a  
20                policy with procedures which provides for out-of-school suspension  
21                of students. The policy shall address the term of the out-of-school  
22                suspension, provide an appeals process as described in subsection B  
23                of this section, and provide that before a student is suspended out-  
24                of-school, the school or district administration shall consider and

1 apply, if appropriate, alternative in-school placement options that  
2 are not to be considered suspension, such as placement in an  
3 alternative school setting, reassignment to another classroom, or  
4 in-school detention. The policy shall address education for  
5 students subject to the provisions of subsection D of this section  
6 and whether participation in extracurricular activities shall be  
7 permitted.

8       B. 1. Students suspended out-of-school for ten (10) or fewer  
9 days shall have the right to appeal the decision of the  
10 administration as provided in the policy required in subsection A of  
11 this section. The policy shall specify whether appeals for short-  
12 term suspensions as provided in this subsection shall be to a local  
13 committee composed of district administrators or teachers or both,  
14 or to the district board of education. Upon full investigation of  
15 the matter, the committee or board shall determine the guilt or  
16 innocence of the student and the reasonableness of the term of the  
17 out-of-school suspension. If the policy requires appeals for short-  
18 term suspensions to a committee, the policy adopted by the board  
19 may, but is not required to, provide for appeal of the committee's  
20 decision to the board.

21       2. Students suspended out-of-school for more than ten (10) days  
22 and students suspended pursuant to the provisions of paragraph 2 of  
23 subsection C of this section may request a review of the suspension  
24 with the administration of the district. If the administration does

1 not withdraw the suspension, the student shall have the right to  
2 appeal the decision of the administration to the district board of  
3 education. Except as otherwise provided for in paragraph 2 of  
4 subsection C of this section, no out-of-school suspension shall  
5 extend beyond the current semester and the succeeding semester.  
6 Upon full investigation of the matter, the board shall determine the  
7 guilt or innocence of the student and the reasonableness of the term  
8 of the out-of-school suspension. A board of education may conduct  
9 the hearing and render the final decision or may appoint a hearing  
10 officer to conduct the hearing and render the final decision. The  
11 decision of the district board of education or the hearing officer,  
12 if applicable, shall be final.

13 C. 1. Students who are guilty of any of the following acts may  
14 be suspended out-of-school by the administration of the school or  
15 district:

- 16 a. violation of a school regulation,
- 17 b. possession of an intoxicating beverage, low-point  
18 beer, as defined by Section ~~163.2~~ 1-103 of Title ~~37~~  
19 37A of the Oklahoma Statutes, or missing or stolen  
20 property if the property is reasonably suspected to  
21 have been taken from a student, a school employee, or  
22 the school during school activities, and
- 23 c. possession of a dangerous weapon or a controlled  
24 dangerous substance while on or within two thousand

(2,000) feet of public school property, or at a school event, as defined in the Uniform Controlled Dangerous Substances Act. Possession of a firearm shall result in out-of-school suspension as provided in paragraph 2 of this subsection.

6       2. Any student found in possession of a firearm while on any  
7       public school property or while in any school bus or other vehicle  
8       used by a public school for transportation of students or teachers  
9       shall be suspended out-of-school for a period of not less than one  
10      (1) year, to be determined by the district board of education  
11      pursuant to the provisions of this section. The term of the  
12      suspension may be modified by the district superintendent on a case-  
13      by-case basis. For purposes of this paragraph the term "firearm"  
14      shall mean and include all weapons as defined by 18 U.S.C., Section  
15      921.

3. a. Any student in grades three through five found to have assaulted, attempted to cause physical bodily injury, or acted in a manner that could reasonably cause bodily injury to a school employee or a person volunteering for a school as prohibited pursuant to Section 6-149.7 of this title shall be suspended in the following manner:

(1) a three-day in-school suspension for the first offense occurring in a given school year,

(2) a seven-day out-of-school suspension for the second offense occurring in a given school year,  
and

(3) expulsion from the school for a third offense occurring in a given school year.

b. Terms of suspension provided in subparagraph a of this paragraph may be modified by the district superintendent on a case-by-case basis.

4. Any student in grades six through twelve found to have

10 assaulted, attempted to cause physical bodily injury, or acted in a  
11 manner that could reasonably cause bodily injury to a school  
12 employee or a person volunteering for a school as prohibited  
13 pursuant to Section ~~6-146~~ 6-149.7 of this title shall be suspended  
14 for the remainder of the current semester and the next consecutive  
15 semester, to be determined by the board of education pursuant to the  
16 provisions of this section. The term of the suspension may be  
17 modified by the district superintendent on a case-by-case basis.

18       D. At its discretion a school district may provide an education  
19 plan for students suspended out-of-school for five (5) or fewer days  
20 pursuant to the provisions of this subsection. The following  
21 provisions shall apply to students who are suspended out-of-school  
22 for more than five (5) days and who are guilty of acts listed in  
23 subparagraphs a and b of paragraph 1 of subsection C of this  
24 section. Upon the out-of-school suspension, the parent or guardian

1 of a student suspended out-of-school pursuant to the provisions of  
2 this subsection shall be responsible for the provision of a  
3 supervised, structured environment in which the parent or guardian  
4 shall place the student and bear responsibility for monitoring the  
5 student's educational progress until the student is readmitted into  
6 school. The school administration shall provide the student with an  
7 education plan designed for the eventual reintegration of the  
8 student into school which provides only for the core units in which  
9 the student is enrolled. A copy of the education plan shall also be  
10 provided to the student's parent or guardian. For the purposes of  
11 this section, the core units shall consist of the minimum English,  
12 mathematics, science, social studies and art units required by the  
13 State Board of Education for grade completion in grades kindergarten  
14 through eight and for high school graduation in grades nine through  
15 twelve. The plan shall set out the procedure for education and  
16 shall address academic credit for work satisfactorily completed.

17 E. A student who has been suspended out-of-school from a public  
18 or private school in the State of Oklahoma or another state for a  
19 violent act or an act showing deliberate or reckless disregard for  
20 the health or safety of faculty or other students shall not be  
21 entitled to enroll in a public school of this state, and no public  
22 school shall be required to enroll the student, until the terms of  
23 the suspension have been met or the time of suspension has expired.

24

1           F. 1. No public school of this state shall be required to  
2 provide education services in the regular school setting to any  
3 student who has been:  
4           a. adjudicated as a delinquent for an offense defined as  
5            a violent crime in Section 571 of Title 57 of the  
6            Oklahoma Statutes,  
7           b. convicted as an adult of an offense defined as a  
8            violent crime in Section 571 of Title 57 of the  
9            Oklahoma Statutes,  
10           c. who has been removed from a public or private school  
11            in the State of Oklahoma or another state by  
12            administrative or judicial process for a violent act  
13            or an act showing deliberate or reckless disregard for  
14            the health or safety of faculty or other students,  
15           d. suspended as provided for in paragraph 3 or 4 of  
16            subsection C of this section, or  
17           e. has been removed from a public or private school in  
18            the state or another state by administrative or  
19            judicial process for an act of using electronic  
20            communication, as defined in Section 24-100.3 of this  
21            title, with intent to terrify, intimidate or harass,  
22            or threaten to inflict injury or physical harm to  
23            faculty or other students.  
24

1       2. The school in which a student as described in paragraph 1 of  
2 this subsection is subsequently enrolled may elect to not provide  
3 education services in the regular school setting until the school  
4 determines that the student no longer poses a threat to self, other  
5 students or school district faculty or employees. Until the school  
6 in which such student subsequently enrolls or re-enrolls determines  
7 that the student no longer poses a threat to self, other students or  
8 school district faculty or employees, the school may provide  
9 education services through an alternative school setting, home-based  
10 instruction, or other appropriate setting. If the school provides  
11 education services to the student at a district school facility, the  
12 school shall notify any student or school district faculty or  
13 employee victims of the student, when known, and shall ensure that  
14 the student will not be allowed in the general vicinity of or  
15 contact with a victim of the student, provided the victim notifies  
16 the school of the victim's desire to refrain from contact with the  
17 offending student.

18       G. Students suspended out-of-school who are on an  
19 individualized education plan pursuant to the Individuals with  
20 Disabilities Education Act, P.L. No. 101-476, or who are subject to  
21 the provisions of subsection F of this section and who are on an  
22 individualized education plan shall be provided the education and  
23 related services in accordance with the student's individualized  
24 education plan.

1       H. A student who has been suspended for a violent offense which  
2 is directed towards a classroom teacher shall not be allowed to  
3 return to that teacher's classroom without the approval of that  
4 teacher.

5       I. At its discretion, a school district may require a student  
6 guilty of acts listed in subparagraph a or b of paragraph 1 of  
7 subsection C of this section to complete intervention and prevention  
8 programs as provided by designated Youth Service Agencies, if  
9 available.

10       J. No school board, administrator **or teacher may be**  
11 **held civilly liable for any action taken in** good faith  
12 which is authorized by this section.  
13

14       SECTION 3. This act shall become effective July 1, 2026.

15       SECTION 4. It being immediately necessary for the preservation  
16 of the public peace, health or safety, an emergency is hereby  
17 declared to exist, by reason whereof this act shall take effect and  
18 be in full force from and after its passage and approval.  
19

20       60-2-16032       SW       02/02/26  
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