

STATE OF OKLAHOMA

1st Session of the 60th Legislature (2025)

POLICY COMMITTEE  
RECOMMENDATION

FOR

HOUSE BILL NO. 1075

By: Hildebrant

POLICY COMMITTEE RECOMMENDATION

An Act relating to schools; creating the Protect Our Kids Act; amending 70 O.S. 2021, Section 6-101.25, as amended by Section 1, Chapter 5, O.S.L. 2024 (70 O.S. Supp. 2024, Section 6-101.25), which relates to recommendations for teacher dismissal; adding administrators to dismissal requirements; mandating forwarding of recommendations to Board of Education regardless of resignation status; requiring Board notification of resignations; requiring expungement under certain circumstances; prescribing expungement conditions; allowing teachers or administrators to provide supplementary information to the Board; providing for noncodification; providing an effective date; and declaring an emergency.

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

SECTION 1. NEW LAW A new section of law not to be codified in the Oklahoma Statutes reads as follows:

This act shall be known and may be cited as the "Protect Our Kids Act".

SECTION 2. AMENDATORY 70 O.S. 2021, Section 6-101.25, as amended by Section 1, Chapter 5, O.S.L. 2024 (70 O.S. Supp. 2024, Section 6-101.25), is amended to read as follows:

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

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

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

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

B. 1. If the recommendation includes grounds that could form the basis of criminal charges sufficient to result in the denial or revocation of a certificate for a reason set forth in subparagraph a of paragraph 6 of subsection A of Section 3-104 of this title, or if the recommendation includes a reason set forth in subparagraph a of paragraph 6 of subsection A of Section 3-104 of this title and is based on an agreement between the teacher or administrator and

1 school district to avoid civil litigation or a settlement of a civil  
2 action unless the court orders the terms of such settlement to be  
3 kept confidential, a copy of the recommendation shall also be  
4 forwarded to the State Board of Education ~~after the completion of~~  
5 ~~due process procedures pursuant to Section 6-101.26 of this title or~~  
6 ~~after the teacher resigns~~ regardless of whether the teacher or  
7 administrator resigns before or after a termination recommendation  
8 is made, provided that the resignation occurs while under  
9 investigation for conduct that could form the basis for criminal  
10 charges or certificate revocation. A report of such resignation,  
11 including any investigatory findings to date, shall be forwarded to  
12 the State Board of Education. Failure to forward a copy of the  
13 recommendation to the State Board of Education shall not be the  
14 basis for any claim or action against a public school, its board of  
15 education, employees, agents or other representatives. If the  
16 school district forwards a copy of the recommendation to the State  
17 Board of Education, the school district shall contemporaneously  
18 forward a copy to the teacher or administrator subject to such  
19 recommendation. The teacher or administrator may provide  
20 supplementary information to the State Board of Education.

21 2. If the investigation into the conduct of the teacher or  
22 administrator concludes without findings to support criminal  
23 charges, certificate revocation, or termination, the individual's  
24 report shall be expunged from State Board of Education records and

1 written notification of the clearance shall be sent to all affected  
2 parties. Expungement may only occur upon sufficient evidence of no  
3 wrongdoing.

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

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

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

9 SECTION 3. This act shall become effective July 1, 2025.

10 SECTION 4. 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.

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