

1 STATE OF OKLAHOMA

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

3 COMMITTEE SUBSTITUTE

4 FOR

5 HOUSE BILL NO. 3885

6 By: Cantrell

7 COMMITTEE SUBSTITUTE

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

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

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

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

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

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

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

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

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

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

20 2. Students suspended out-of-school for more than ten (10) days  
21 and students suspended pursuant to the provisions of paragraph 2 of  
22 subsection C of this section may request a review of the suspension  
23 with the administration of the district. If the administration does  
24 not withdraw the suspension, the student shall have the right to

1 appeal the decision of the administration to the district board of  
2 education. Except as otherwise provided for in paragraph 2 of  
3 subsection C of this section, no out-of-school suspension shall  
4 extend beyond the current semester and the succeeding semester.  
5 Upon full investigation of the matter, the board shall determine the  
6 guilt or innocence of the student and the reasonableness of the term  
7 of the out-of-school suspension. A board of education may conduct  
8 the hearing and render the final decision or may appoint a hearing  
9 officer to conduct the hearing and render the final decision. The  
10 decision of the district board of education or the hearing officer,  
11 if applicable, shall be final.

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

- 15 a. violation of a school regulation,
- 16 b. possession of an intoxicating beverage, low-point  
17 beer, as defined by Section ~~163.2~~ 1-103 of Title ~~37~~  
18 37A of the Oklahoma Statutes, or missing or stolen  
19 property if the property is reasonably suspected to  
20 have been taken from a student, a school employee, or  
21 the school during school activities, and
- 22 c. possession of a dangerous weapon or a controlled  
23 dangerous substance while on or within two thousand  
24 (2,000) feet of public school property, or at a school

1 event, as defined in the Uniform Controlled Dangerous  
2 Substances Act. Possession of a firearm shall result  
3 in out-of-school suspension as provided in paragraph 2  
4 of this subsection.

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

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

22 (1) a three-day in-school suspension for the first  
23 offense occurring in a given school year,  
24

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

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

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

9           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.

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 held  
11 civilly liable for any action taken in good faith which is  
12 authorized by this section.

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

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

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