

April 22, 2025

By: Hildebrant, Caldwell
(Chad), and Staires of the
House

Seifried of the Senate

emergency]

SECTION 1. 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.

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. 1. If the recommendation includes grounds that could form
10 the 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 subsection A of Section 3-104 of this title, or if
13 the recommendation includes a reason set forth in subparagraph a of
14 paragraph 6 of subsection A of Section 3-104 of this title and is
15 based on an agreement between the teacher or administrator and
16 school district to avoid civil litigation or a settlement of a civil
17 action unless the court orders the terms of such settlement to be
18 kept confidential, a copy of the recommendation shall also be
19 forwarded to the State Board of Education ~~after the completion of~~
20 when the recommendation is made pursuant to the due process
21 procedures pursuant to provided for in Section 6-101.26 of this
22 title ~~or after the teacher resigns,~~ regardless of whether the
23 teacher or administrator resigns before or after a termination
24 recommendation is made, provided that the resignation occurs while

1 the teacher or administrator is under investigation for conduct that
2 could form the basis for criminal charges or certificate revocation.
3 A report of such resignation including any investigatory findings to
4 date shall be forwarded to the State Board of Education. Failure to
5 forward a copy of the recommendation to the State Board of Education
6 shall not be the basis for any claim or action against a public
7 school, its board of education, employees, agents, or other
8 representatives. If the school district forwards a copy of the
9 recommendation to the State Board of Education, the school district
10 shall contemporaneously forward a copy to the teacher or
11 administrator subject to such recommendation. The teacher or
12 administrator may provide supplementary information to the State
13 Board of Education.

14 2. If the investigation into the conduct of the teacher or
15 administrator concludes without findings to support criminal
16 charges, certificate revocation, or termination, the individual's
17 report shall be expunged from State Board of Education records and
18 written notification of the clearance shall be sent to all affected
19 parties. Expungement may only occur upon sufficient evidence of no
20 wrongdoing.

21 C. Only school districts may request a copy of the
22 recommendation from the State Board of Education, and only if a
23 teacher or administrator is being considered for new employment or a
24 teacher or administrator is currently employed by the requesting

1 school district. The State Board of Education shall notify the
2 teacher or administrator subject to the recommendation if such a
3 request is made and provide the identity of the school district that
4 made such request. The teacher or administrator subject to the
5 recommendation shall retain the right to provide supplementary
6 information to the State Board of Education to accompany any
7 documents requested. The State Board of Education shall provide the
8 requesting school district documents related to the recommendation
9 as well as any supplementary information provided by the teacher or
10 administrator subject to the recommendation, and copies shall be
11 contemporaneously forwarded to the teacher or administrator subject
12 to the recommendation. Records provided to a requesting school
13 district pursuant to this subsection shall be kept confidential.

14 D. Except as provided for in subsection C of this section, the
15 State Board of Education shall keep recommendations submitted
16 pursuant to subsection B of this section confidential. Records
17 created pursuant to this section shall not be subject to disclosure
18 under the Oklahoma Open Records Act.

19 E. If the State Board of Education or a school district that
20 generated or received documents pursuant to subsection C of this
21 section is served a subpoena requesting disclosure of the documents,
22 the teacher or administrator subject to the recommendation shall
23 immediately be notified and be provided the opportunity to object to
24 the subpoena.

1 SECTION 2. This act shall become effective July 1, 2025.

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

6 COMMITTEE REPORT BY: COMMITTEE ON EDUCATION
7 April 22, 2025 - DO PASS AS AMENDED BY CS
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