

1 STATE OF OKLAHOMA

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

3 SENATE BILL 1720

By: Pugh

6 AS INTRODUCED

7 An Act relating to schools; amending 25 O.S. 2021,  
8 Section 2002, which relates to the Parents' Bill of  
9 Rights; providing for additional rights of parents;  
10 prohibiting state agencies, political subdivisions,  
11 and certain schools from retaliating against a parent  
12 or child for certain reasons; defining term; allowing  
13 a parent to submit a written complaint of certain  
14 alleged violation; allowing a parent to submit a  
15 written complaint to the State Department of  
16 Education; directing the Department to conduct  
17 certain investigation and require corrective action  
18 if violation is found; allowing the Department to  
19 make certain recommendation for repeated or willful  
20 violations; providing a cause of action; requiring  
21 sealing of certain actions unless expressly waived;  
22 providing for waiving of sovereign immunity to  
23 certain extent; requiring cause of action to be  
24 brought within certain time period; updating  
statutory language; providing an effective date; and  
declaring an emergency.

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

20 SECTION 1. AMENDATORY 25 O.S. 2021, Section 2002, is  
21 amended to read as follows:

22 Section 2002. A. All parental rights are reserved to a parent  
23 of a minor child without obstruction or interference from this  
24 state, any political subdivision of this state, any other

1 governmental entity, or any other institution, including, but not  
2 limited to, the following rights:

3 1. The right to direct the education of the minor child;

4 2. All rights of parents identified in Title 70 of the Oklahoma  
5 Statutes, including the right to access and review all school  
6 records relating to the minor child;

7 3. The right to direct the upbringing of the minor child;

8 4. The right to direct the moral or religious training of the  
9 minor child;

10 5. The right to make ~~healthcare~~ health care decisions for the  
11 minor child, unless otherwise prohibited by law;

12 6. The right to access and review all medical records of the  
13 minor child unless otherwise prohibited by law or the parent is the  
14 subject of an investigation of a crime committed against the minor  
15 child and a law enforcement official requests that the information  
16 not be released;

17 7. The right to consent in writing before a biometric scan of  
18 the minor child is made, shared, or stored;

19 8. The right to consent in writing before any record of the  
20 minor child's blood or deoxyribonucleic acid (DNA) is created,  
21 stored, or shared, except as required by Sections 1-516 and 1-524.1  
22 of Title 63 of the Oklahoma Statutes, or unless authorized pursuant  
23 to a court order;

1       9. The right to consent in writing before the state or any of  
2       its political subdivisions makes a video or voice recording of the  
3       minor child, unless the video or voice recording is made during or  
4       as a part of a court proceeding, by law enforcement officers during  
5       or as part of a law enforcement investigation, during or as part of  
6       a forensic interview in a criminal or Department of Human Services  
7       investigation, or to be used solely for any of the following:

- 8       a. safety demonstrations, including the maintenance of  
9               order and discipline in the common areas of a school  
10              or on student transportation vehicles,
- 11       b. a purpose related to a legitimate academic or  
12              extracurricular activity,
- 13       c. a purpose related to regular classroom instruction,
- 14       d. security or surveillance of buildings or grounds, and
- 15       e. a photo identification card; and

16       10. The right to be notified promptly if an employee of this  
17       state, any political subdivision of this state, any other  
18       governmental entity, or any other institution suspects that a  
19       criminal offense has been committed against the minor child by  
20       someone other than a parent, unless the incident has first been  
21       reported to law enforcement and notification of the parent would  
22       impede a law enforcement or Department of Human Services  
23       investigation. This paragraph does not create any new obligation  
24       for school districts and charter schools to report misconduct

1 between students at school, such as fighting or aggressive play,  
2 that is routinely addressed as a student disciplinary matter by the  
3 school;

4       11. The right to bring any individual of the parent's choosing,  
5       including an individual with unique knowledge or expertise regarding  
6       the child, to any meeting with school personnel including, but not  
7       limited to, meetings regarding an individualized education program  
8       (IEP) pursuant to the Individuals with Disabilities Education Act  
9       (IDEA), meetings conducted pursuant to Section 504 of the  
10       Rehabilitation Act of 1973, and meetings concerning the academics,  
11       behavior, discipline, attendance, health, or any other matter  
12       involving the child;

13       12. The right, upon written request, to receive copies of all  
14       education records of a minor child as defined by the Family  
15       Educational Rights and Privacy Act of 1974 (FERPA) within ten (10)  
16       business days of receipt of the written request. Copies shall be  
17       provided at no cost to the parent. A parent shall also have the  
18       right, upon written request, to receive annual notification from a  
19       school district of the procedures for requesting such records;

20       13. The right to review all documents including, but not  
21       limited to, evaluations, reports, progress monitoring data, work  
22       samples, behavior logs, and discipline records, at least five (5)  
23       business days prior to any meeting regarding an IEP, a meeting  
24       conducted pursuant to Section 504 of the Rehabilitation Act of 1973,

1       or any other meeting regarding accommodations for a student with a  
2       disability. A parent may agree in writing to a review period of  
3       fewer than five (5) business days; and

4       14. The right to receive from a school district a written  
5       incident report by no later than the end of the business day on  
6       which his or her child is suspected of having been injured, involved  
7       in an alleged incident of bullying, or is the alleged victim or  
8       perpetrator of conduct requiring such notice pursuant to the School  
9       Safety and Bullying Prevention Act. A copy of the incident report  
10       shall be maintained in the student's education record and shall  
11       include at a minimum:

- 12       a. the time, date, and location of the incident,
- 13       b. a description of the injury or alleged conduct,
- 14       c. actions taken by school personnel including first aid  
15       or disciplinary actions,
- 16       d. the names and titles of school personnel who witnessed  
17       or responded to the incident,
- 18       e. whether law enforcement or the Department of Human  
19       Services was notified, and
- 20       f. the name and contact information of the school  
21       employee designated for further contact.

22       B. This section does not authorize or allow a parent to engage  
23       in conduct that is unlawful or to abuse or neglect a child in  
24       violation of the laws of this state. This section shall not be

1 construed to apply to a parental action or decision that would end  
2 life. This section does not prohibit courts, law enforcement  
3 officers, or employees of a government agency responsible for child  
4 welfare from acting in their official capacity within the reasonable  
5 and prudent scope of their authority. This section does not  
6 prohibit a court from issuing an order that is otherwise permitted  
7 by law.

8 C. Any attempt to encourage or coerce a minor child to withhold  
9 information from the child's parent shall be grounds for discipline  
10 of an employee of this state, any political subdivision of this  
11 state, or any other governmental entity, except for law enforcement  
12 personnel.

13 D. Unless those rights have been legally waived or legally  
14 terminated, parents have inalienable rights that are more  
15 comprehensive than those listed in this section. The Parents' Bill  
16 of Rights does not prescribe all rights of parents. Unless  
17 otherwise required by law, the rights of parents of minor children  
18 shall not be limited or denied. The Parents' Bill of Rights shall  
19 not be construed to apply to a parental action or decision that  
20 would end life.

21 E. 1. No state agency, political subdivision of this state,  
22 public school district, charter school, virtual charter school, or  
23 employee or contractor of any such entity shall intimidate,

1 threaten, coerce, discipline, discriminate against, or otherwise  
2 retaliate against a parent or minor child because:

3     a. the parent exercised or attempted to exercise any  
4         right provided pursuant to this section, Title 70 of  
5         the Oklahoma Statutes, or federal law including, but  
6         not limited to, IDEA, Section 504 of the  
7         Rehabilitation Act of 1973, the Americans with  
8         Disabilities Act of 1990 (ADA), Title VI of the Civil  
9         Rights Act of 1964, or Title IX of the Education  
10         Amendments of 1972,

11     b. the parent made a complaint, provided information, or  
12         otherwise cooperated with any investigation, hearing,  
13         or proceeding regarding the education, services,  
14         discipline, or safety of his or her minor child, or  
15     c. the parent assisted or encouraged another parent in  
16         exercising rights protected by the laws of this state  
17         or by federal law.

18     2. For the purposes of this subsection, "retaliate" or

19     "retaliation" includes, but is not limited to:

20     a. excluding or barring a parent from school property or  
21         school meetings, except as permitted by a court order  
22         or where necessary to address an actual, documented  
23         safety threat,

1                   b. materially limiting a parent's opportunity to  
2                   participate in meetings or decisions about his or her  
3                   minor child,  
4                   c. initiating a report to law enforcement or the  
5                   Department of Human Services in violation of  
6                   subsection D of Section 1-2-101 of Title 10A of the  
7                   Oklahoma Statutes against a parent because of his or  
8                   her advocacy,  
9                   d. taking adverse action against a student including  
10                   changes in placement, services, or discipline that  
11                   would not otherwise have been taken but for the  
12                   parent's advocacy, or  
13                   e. failure to provide proper notice of any proceeding,  
14                   meeting, or disbursement of relative information.

15                   F. 1. A parent who is aggrieved by a knowing and willful  
16                   violation of the provisions of this section by a public school  
17                   district, charter school, or virtual charter school may:

18                   a. submit a written complaint with the board of education  
19                   of a public school district or the governing body of  
20                   the charter school or virtual charter school which  
21                   shall issue a written response within fifteen (15)  
22                   business days of receipt of the complaint describing  
23                   any corrective action to be taken, and

1                   b. if dissatisfied with the response from the board of  
2                   education of the public school district or the  
3                   governing body of the charter school or virtual  
4                   charter school or if no response is provided within  
5                   the time period prescribed by subparagraph a of this  
6                   paragraph, submit a written complaint to the State  
7                   Department of Education.

8                   2. Upon receipt of a written complaint pursuant to paragraph 1  
9                   of this subsection, the State Department of Education shall  
10                   investigate the alleged violation. If the Department finds evidence  
11                   of a violation of the provisions of this section, it may require the  
12                   public school district, charter school, or virtual charter school to  
13                   take corrective action. For repeated or willful violations, the  
14                   Department may make a recommendation to the State Board of Education  
15                   that accreditation penalties be imposed upon or that a portion of  
16                   State Aid be withheld from the school district, charter school, or  
17                   virtual charter school.

18                   3. In addition to any other remedy available, a parent whose  
19                   rights provided by this section have been violated may bring a civil  
20                   action against the public school district, charter school, or  
21                   virtual charter school for:

22                   a. declaratory and injunctive relief,  
23                   b. actual damages including, but not limited to, the cost  
24                   of obtaining replacement services or private

educational services made necessary by the violation,

and

c. reasonable attorney fees and court costs, if the parent is the prevailing party.

4. Civil actions brought pursuant to this section shall be

automatically sealed unless expressly waived by the petitioner or upon agreement of the parties involved.

5. A cause of action brought pursuant to paragraph 3 of this subsection shall be filed within two (2) years of when the parent knew or reasonably should have known of the violation.

SECTION 2. This act shall become effective July 1, 2026.

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

60-2-3303

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