

1 STATE OF OKLAHOMA

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

3 HOUSE BILL 3885

By: Cantrell

6 AS INTRODUCED

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

11
12
13 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

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

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

1 title. This section shall be in addition to and does not limit the
2 criminal liability of a person who causes or commits an assault,
3 battery, or assault and battery upon a school employee as provided
4 for in Section 650.7 of Title 21 of the Oklahoma Statutes.

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

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

12 Section 24-101.3. A. Any student who is guilty of an act
13 described in paragraph 1 of subsection C of this section may be
14 suspended out-of-school in accordance with the provisions of this
15 section. Each school district board of education shall adopt a
16 policy with procedures which provides for out-of-school suspension
17 of students. The policy shall address the term of the out-of-school
18 suspension, provide an appeals process as described in subsection B
19 of this section, and provide that before a student is suspended out-
20 of-school, the school or district administration shall consider and
21 apply, if appropriate, alternative in-school placement options that
22 are not to be considered suspension, such as placement in an
23 alternative school setting, reassignment to another classroom, or
24 in-school detention. The policy shall address education for

1 students subject to the provisions of subsection D of this section
2 and whether participation in extracurricular activities shall be
3 permitted.

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

17 2. Students suspended out-of-school for more than ten (10) days
18 and students suspended pursuant to the provisions of paragraph 2 of
19 subsection C of this section may request a review of the suspension
20 with the administration of the district. If the administration does
21 not withdraw the suspension, the student shall have the right to
22 appeal the decision of the administration to the district board of
23 education. Except as otherwise provided for in paragraph 2 of
24 subsection C of this section, no out-of-school suspension shall

1 extend beyond the current semester and the succeeding semester.
2 Upon full investigation of the matter, the board shall determine the
3 guilt or innocence of the student and the reasonableness of the term
4 of the out-of-school suspension. A board of education may conduct
5 the hearing and render the final decision or may appoint a hearing
6 officer to conduct the hearing and render the final decision. The
7 decision of the district board of education or the hearing officer,
8 if applicable, shall be final.

9 C. 1. Students who are guilty of any of the following acts may
10 be suspended out-of-school by the administration of the school or
11 district:

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

in out-of-school suspension as provided in paragraph 2 of this subsection.

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

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

- a. a three-day in-school suspension for the first offense occurring in a given school year,
- b. a seven-day out-of-school suspension for the second offense occurring in a given school year, and
- c. expulsion from the school for a third offense occurring in a given school year.

1 4. Any student in grades six through twelve found to have
2 assaulted, attempted to cause physical bodily injury, or acted in a
3 manner that could reasonably cause bodily injury to a school
4 employee or a person volunteering for a school as prohibited
5 pursuant to Section ~~6-146~~ 6-149.7 of this title shall be suspended
6 for the remainder of the current semester and the next consecutive
7 semester, to be determined by the board of education pursuant to the
8 provisions of this section. The term of the suspension may be
9 modified by the district superintendent on a case-by-case basis.

10 D. At its discretion a school district may provide an education
11 plan for students suspended out-of-school for five (5) or fewer days
12 pursuant to the provisions of this subsection. The following
13 provisions shall apply to students who are suspended out-of-school
14 for more than five (5) days and who are guilty of acts listed in
15 subparagraphs a and b of paragraph 1 of subsection C of this
16 section. Upon the out-of-school suspension, the parent or guardian
17 of a student suspended out-of-school pursuant to the provisions of
18 this subsection shall be responsible for the provision of a
19 supervised, structured environment in which the parent or guardian
20 shall place the student and bear responsibility for monitoring the
21 student's educational progress until the student is readmitted into
22 school. The school administration shall provide the student with an
23 education plan designed for the eventual reintegration of the
24 student into school which provides only for the core units in which

1 the student is enrolled. A copy of the education plan shall also be
2 provided to the student's parent or guardian. For the purposes of
3 this section, the core units shall consist of the minimum English,
4 mathematics, science, social studies and art units required by the
5 State Board of Education for grade completion in grades kindergarten
6 through eight and for high school graduation in grades nine through
7 twelve. The plan shall set out the procedure for education and
8 shall address academic credit for work satisfactorily completed.

9 E. A student who has been suspended out-of-school from a public
10 or private school in the State of Oklahoma or another state for a
11 violent act or an act showing deliberate or reckless disregard for
12 the health or safety of faculty or other students shall not be
13 entitled to enroll in a public school of this state, and no public
14 school shall be required to enroll the student, until the terms of
15 the suspension have been met or the time of suspension has expired.

16 F. 1. No public school of this state shall be required to
17 provide education services in the regular school setting to any
18 student who has been:

- 19 a. adjudicated as a delinquent for an offense defined as
20 a violent crime in Section 571 of Title 57 of the
21 Oklahoma Statutes,
- 22 b. convicted as an adult of an offense defined as a
23 violent crime in Section 571 of Title 57 of the
24 Oklahoma Statutes,

1 c. who has been removed from a public or private school
2 in the State of Oklahoma or another state by
3 administrative or judicial process for a violent act
4 or an act showing deliberate or reckless disregard for
5 the health or safety of faculty or other students,
6 d. suspended as provided for in ~~paragraph~~ paragraphs 3 or
7 4 of subsection C of this section, or
8 e. has been removed from a public or private school in
9 the state or another state by administrative or
10 judicial process for an act of using electronic
11 communication, as defined in Section 24-100.3 of this
12 title, with intent to terrify, intimidate or harass,
13 or threaten to inflict injury or physical harm to
14 faculty or other students.

15 2. The school in which a student as described in paragraph 1 of
16 this subsection is subsequently enrolled may elect to not provide
17 education services in the regular school setting until the school
18 determines that the student no longer poses a threat to self, other
19 students or school district faculty or employees. Until the school
20 in which such student subsequently enrolls or re-enrolls determines
21 that the student no longer poses a threat to self, other students or
22 school district faculty or employees, the school may provide
23 education services through an alternative school setting, home-based
24 instruction, or other appropriate setting. If the school provides

1 education services to the student at a district school facility, the
2 school shall notify any student or school district faculty or
3 employee victims of the student, when known, and shall ensure that
4 the student will not be allowed in the general vicinity of or
5 contact with a victim of the student, provided the victim notifies
6 the school of the victim's desire to refrain from contact with the
7 offending student.

8 G. Students suspended out-of-school who are on an
9 individualized education plan pursuant to the Individuals with
10 Disabilities Education Act, P.L. No. 101-476, or who are subject to
11 the provisions of subsection F of this section and who are on an
12 individualized education plan shall be provided the education and
13 related services in accordance with the student's individualized
14 education plan.

15 H. A student who has been suspended for a violent offense which
16 is directed towards a classroom teacher shall not be allowed to
17 return to that teacher's classroom without the approval of that
18 teacher.

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

24

1 J. No school board, administrator or teacher may be held
2 civilly liable for any action taken in good faith which is
3 authorized by this section.

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

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

9
10 60-2-14266 SW 12/18/25

11
12
13
14
15
16
17
18
19
20
21
22
23
24