

STATE OF OKLAHOMA

1st Session of the 60th Legislature (2025)

SENATE BILL 757

By: Gollihare

AS INTRODUCED

An Act relating to school discipline; amending 70 O.S. 2021, Section 24-101.3, which relates to out-of-school suspension; updating statutory language; adding reason for which students may be suspended out-of-school; adding reason for which a public school is not required to provide certain education services; prohibiting a student who has been suspended for committing certain act from returning to certain classroom without approval of certain classroom teacher; providing an effective date; and declaring an emergency.

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

SECTION 1. AMENDATORY 70 O.S. 2021, Section 24-101.3, is amended to read as follows:

Section 24-101.3. A. Any student who is guilty of an act described in paragraph 1 of subsection C of this section may be suspended out-of-school in accordance with the provisions of this section. Each school district board of education shall adopt a policy with procedures which provides for out-of-school suspension of students. The policy shall address the term of the out-of-school suspension, provide an appeals process as described in subsection B

1 of this section, and provide that before a student is suspended out-
2 of-school, the school or district administration shall consider and
3 apply, if appropriate, alternative in-school placement options that
4 are not to be considered suspension, such as placement in an
5 alternative school setting, reassignment to another classroom, or
6 in-school detention. The policy shall address education for
7 students subject to the provisions of subsection D of this section
8 and whether participation in extracurricular activities shall be
9 permitted.

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

23 2. Students suspended out-of-school for more than ten (10) days
24 and students suspended pursuant to the provisions of paragraph 2 of

1 subsection C of this section may request a review of the suspension
2 with the administration of the district. If the administration does
3 not withdraw the suspension, the student shall have the right to
4 appeal the decision of the administration to the school district
5 board of education. Except as otherwise provided for in paragraph 2
6 of subsection C of this section, no out-of-school suspension shall
7 extend beyond the current semester and the succeeding semester.
8 Upon full investigation of the matter, the board shall determine the
9 guilt or innocence of the student and the reasonableness of the term
10 of the out-of-school suspension. A board of education may conduct
11 the hearing and render the final decision or may appoint a hearing
12 officer to conduct the hearing and render the final decision. The
13 decision of the school district board of education or the hearing
14 officer, if applicable, shall be final.

15 C. 1. Students who are guilty of any of the following acts may
16 be suspended out-of-school by the administration of the school or
17 district:

- 18 a. violation of a school regulation,
- 19 b. possession of an intoxicating beverage, low-point
20 beer, as defined by Section 163.2 of Title 37 of the
21 Oklahoma Statutes, or missing or stolen property if
22 the property is reasonably suspected to have been
23 taken from a student, a school employee, or the school
24 during school activities, ~~and~~

- 1 c. possession of a dangerous weapon or a controlled
2 dangerous substance while on or within two thousand
3 (2,000) feet of public school property, or at a school
4 event, as defined in the Uniform Controlled Dangerous
5 Substances Act. Possession of a firearm shall result
6 in out-of-school suspension as provided in paragraph 2
7 of this subsection, and
8 d. demonstration of threatening behavior as defined by
9 Section 24-100.8 of this title.

10 2. Any student found in possession of a firearm while on any
11 public school property or while in any school bus or other vehicle
12 used by a public school for transportation of students or teachers
13 shall be suspended out-of-school for a period of not less than one
14 (1) year, to be determined by the school district board of education
15 pursuant to the provisions of this section. The term of the
16 suspension may be modified by the district superintendent on a case-
17 by-case basis. For purposes of this paragraph the term "firearm"
18 shall mean and include all weapons as defined by 18 U.S.C., Section
19 921.

20 3. Any student in grades six through twelve found to have
21 assaulted, attempted to cause physical bodily injury, or acted in a
22 manner that could reasonably cause bodily injury to a school
23 employee or a person volunteering for a school as prohibited
24 pursuant to Section 6-146 of this title shall be suspended for the

1 remainder of the current semester and the next consecutive semester,
2 to be determined by the board of education pursuant to the
3 provisions of this section. The term of the suspension may be
4 modified by the district superintendent on a case-by-case basis.

5 D. At its discretion a school district may provide an education
6 plan for students suspended out-of-school for five (5) or fewer days
7 pursuant to the provisions of this subsection. The following
8 provisions shall apply to students who are suspended out-of-school
9 for more than five (5) days and who are guilty of acts listed in
10 subparagraphs a ~~and~~, b, and d of paragraph 1 of subsection C of this
11 section. Upon the out-of-school suspension, the parent or guardian
12 of a student suspended out-of-school pursuant to the provisions of
13 this subsection shall be responsible for the provision of a
14 supervised, structured environment in which the parent or guardian
15 shall place the student and bear responsibility for monitoring the
16 student's educational progress until the student is readmitted into
17 school. The school administration shall provide the student with an
18 education plan designed for the eventual reintegration of the
19 student into school which provides only for the core units in which
20 the student is enrolled. A copy of the education plan shall also be
21 provided to the student's parent or guardian. For the purposes of
22 this section, the core units shall consist of the minimum English,
23 mathematics, science, social studies, and art units required by the
24 State Board of Education for grade completion in grades kindergarten

1 through eight and for high school graduation in grades nine through
2 twelve. The plan shall set out the procedure for education and
3 shall address academic credit for work satisfactorily completed.

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

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

- 15 a. adjudicated as a delinquent for an offense defined as
16 a violent crime in Section 571 of Title 57 of the
17 Oklahoma Statutes,
- 18 b. convicted as an adult of an offense defined as a
19 violent crime in Section 571 of Title 57 of the
20 Oklahoma Statutes,
- 21 c. who has been removed from a public or private school
22 in ~~the State of Oklahoma~~ this state or another state
23 by administrative or judicial process for a violent
24

- 1 act or an act showing deliberate or reckless disregard
2 for the health or safety of faculty or other students,
3 d. suspended as provided for in paragraph 3 of subsection
4 C of this section, or
5 e. has been removed from a public or private school in
6 ~~the~~ this state or another state by administrative or
7 judicial process for an act of using electronic
8 communication, as defined in Section 24-100.3 of this
9 title, with intent to terrify, intimidate or harass,
10 or threaten to inflict injury or physical harm to
11 faculty or other students or for committing an act of
12 threatening behavior as defined by Section 24-100.8 of
13 this title.

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

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

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

14 H. 1. A student who has been suspended for a violent offense
15 which is directed towards a classroom teacher shall not be allowed
16 to return to that teacher's classroom without the approval of that
17 teacher.

18 2. A student who has been suspended for committing an act of
19 threatening behavior as defined by Section 24-100.8 of this title
20 which is directed towards a classroom teacher shall not be allowed
21 to return to that teacher's classroom without the approval of that
22 teacher.

23 I. At its discretion, a school district may require a student
24 guilty of acts listed in subparagraph a ~~or~~, b, or d of paragraph 1

1 of subsection C of this section to complete intervention and
2 prevention programs as provided by designated Youth Service
3 Agencies, if available.

4 J. No school district board of education, administrator, or
5 teacher may be held civilly liable for any action taken in good
6 faith which is authorized by this section.

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

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

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