

1 STATE OF OKLAHOMA

2 1st Session of the 59th Legislature (2023)

3 HOUSE BILL 2260

By: Sterling

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5
6 AS INTRODUCED

7 An Act relating to schools; amending 70 O.S. 2021,
8 Section 6-101.25, which relates to recommendations of
9 the superintendent; including additional situations
10 certain recommendations for revoking licenses may be
made; describing said situations; and providing an
effective date.

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

12 SECTION 1. AMENDATORY 70 O.S. 2021, Section 6-101.25, is
13 amended to read as follows:

14 Section 6-101.25 A. Whenever a superintendent decides to
15 recommend that a teacher employed within the school district be
16 dismissed or not reemployed, the superintendent shall state the
17 recommendation in writing, setting forth the basis for the
18 recommendation, and shall submit such recommendation to the board of
19 education.

20 If the teacher subject to such recommendation is a career
21 teacher, the recommendation shall specify the statutory grounds for
22 which the recommendation is based.

1 If the teacher subject to such recommendation is a probationary
2 teacher, the recommendation shall specify the cause for which the
3 recommendation is based.

4 The superintendent shall also specify the underlying facts
5 supporting the recommendation.

6 B. If the recommendation includes grounds that could form the
7 basis of criminal charges sufficient to result in the denial or
8 revocation of a certificate for a reason set forth in subparagraph a
9 of paragraph 6 of Section 3-104 of this title, or is based on a
10 civil settlement for the same actions described in subparagraph a of
11 paragraph 6 of Section 3-104 of this title, a copy of the
12 recommendation shall also be forwarded to the State Board of
13 Education after the completion of due process procedures pursuant to
14 Section 6-101.26 of this title or after the teacher resigns.
15 Failure to forward a copy of the recommendation to the State Board
16 of Education shall not be the basis for any claim or action against
17 a public school, its board of education, employees, agents or other
18 representatives. If the school district forwards a copy of the
19 recommendation to the State Board of Education, the school district
20 shall contemporaneously forward a copy to the teacher subject to
21 such recommendation. The teacher may provide supplementary
22 information to the State Board of Education.

23 C. Only school districts may request a copy of the
24 recommendation from the State Board of Education, and only if a

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

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

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

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SECTION 2. This act shall become effective November 1, 2023.

59-1-5324 JM 01/18/23