

1 STATE OF OKLAHOMA

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

3 SENATE BILL 1014

By: Jett

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5
6 AS INTRODUCED

7 An Act relating to school employees; defining term;
8 requiring certain notification if an individual
9 employed by certain school is being investigated for,
10 has been arrested in relation to, or has been charged
11 with certain offenses; requiring certain board of
12 education to suspend the employee pending certain
13 outcome; prohibiting suspension from depriving
14 certain employee of certain compensation and
15 benefits; prohibiting the employee from being on
16 school premises during suspension term; providing for
17 extension of suspension under certain circumstances;
18 requiring certain superintendent to provide certain
19 notification; requiring notification to include
20 certain statement; providing for promulgation of
21 rules; providing for codification; providing an
22 effective date; and declaring an emergency.

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

24 SECTION 1. NEW LAW A new section of law to be codified
in the Oklahoma Statutes as Section 5-144.1 of Title 70, unless
there is created a duplication in numbering, reads as follows:

25 A. As used in this section, "offenses against students" means
26 crimes or attempts to commit crimes provided for in Section 843.5 of
27 Title 21 of the Oklahoma Statutes if the offense involved sexual
28 abuse or sexual exploitation as those terms are defined in Section

1 1-1-105 of Title 10A of the Oklahoma Statutes, Section 741, 843.1,
2 if the offense included sexual abuse or sexual exploitation, 865 et
3 seq., 885, 888, 891, 1021, 1021.2, 1021.3, 1040.13a, 1087, 1088,
4 1111.1, 1114, or 1123 of Title 21 of the Oklahoma Statutes.

5 B. If an individual employed by a public school district,
6 public charter school, or public virtual charter school in this
7 state:

8 1. Is being investigated for or has been arrested in relation
9 to offenses against students; or

10 2. Has been charged with offenses against students,
11 the law enforcement agency involved in the investigation, arrest, or
12 charging shall notify the superintendent of the employing school
13 district, public charter school, or public virtual charter school
14 and the members of the board of education of the employing school
15 district or the members of the governing board of the employing
16 public charter school or public virtual charter school.

17 C. 1. Upon receiving a notification as provided for in
18 subsection B of this section, the board of education of the
19 employing school district or the governing board of the employing
20 public charter school or public virtual charter school shall suspend
21 the school employee without notice or hearing pending the outcome of
22 the law enforcement investigation. The suspension shall not deprive
23 the employee of any compensation or other benefits to which he or
24

1 she is otherwise entitled. The employee shall not be allowed on
2 school premises during the term of suspension.

3 2. In a case involving a criminal charge or indictment, the
4 suspension may extend until the case for the employee is adjudicated
5 at trial. The extension shall not include any appeal process.

6 D. Upon receiving a notification as provided for in subsection
7 B of this section, the superintendent of the employing school
8 district, public charter school, or public virtual charter school
9 shall notify the parents and legal guardians of students enrolled in
10 the school district, charter school, or virtual charter school. The
11 notification shall include a statement explaining that the school
12 employee is presumed innocent until and unless proven guilty.

13 E. The State Board of Education shall promulgate rules to
14 implement the provisions of this section.

15 SECTION 2. This act shall become effective July 1, 2023.

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

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