

STATE OF OKLAHOMA

1st Session of the 60th Legislature (2025)

SENATE BILL 749

By: Rader

AS INTRODUCED

An Act relating to higher education; providing legislative findings; creating the Oklahoma Higher Education Freedom of Expression and Transparency Act; providing short title; defining terms; prohibiting an institution of higher education from showing bias or favoritism in approving or scheduling usage of institution property; prohibiting an institution of higher education from taking certain actions with regard to student groups; allowing an institution to restrict or deny use of property for certain reason; requiring institutions to publish certain syllabus beginning in certain academic year; requiring each syllabus to include certain information; directing the Oklahoma State Regents for Higher Education to promulgate certain rules requiring submission of certain information, establishment of certain processes, and reporting of certain information; providing for noncodification; providing for codification; providing an effective date; and declaring an emergency.

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

SECTION 1. NEW LAW A new section of law not to be codified in the Oklahoma Statutes reads as follows:

The Legislature finds that:

1. Freedom of expression and inquiry at institutions of higher education within The Oklahoma State System of Higher Education are

1 indispensable to the pursuit of educational excellence and the
2 furtherance of the ordered individual liberty established in this
3 nation's founding documents;

4 2. Institutions of higher education within The Oklahoma State
5 System of Higher Education have a duty to promote and defend freedom
6 of expression and inquiry and the societal consensus on the ordered
7 individual liberty established in this nation's founding documents
8 that sustain it;

9 3. Institutions of higher education within The Oklahoma State
10 System of Higher Education should seek and foster intellectual
11 diversity among administrators, faculty, students, and employees;

12 4. Positively or negatively incentivizing, informally
13 pressuring, or otherwise compelling students or employees of
14 institutions of higher education within The Oklahoma State System of
15 Higher Education to embrace divisive concepts is contrary to the
16 mutual respect and collegial processes essential to the free
17 exchange of ideas;

18 5. Measures taken to ensure nondiscrimination cannot be allowed
19 to undermine the principles of merit and excellence in the core
20 activities of institutions of higher education within The Oklahoma
21 State System of Higher Education; and

22 6. Increased institutional transparency and oversight are
23 needed to lessen the risk of diminished excellence resulting from
24 the imposition or advocacy of divisive concepts.

1 SECTION 2. NEW LAW A new section of law to be codified
2 in the Oklahoma Statutes as Section 3205.15 of Title 70, unless
3 there is created a duplication in numbering, reads as follows:

4 A. This act shall be known and may be cited as the "Oklahoma
5 Higher Education Freedom of Expression and Transparency Act".

6 B. For the purposes of this section:

7 1. "Divisive concept" means a concept that:

8 a. one race or sex is inherently superior to another race
9 or sex,

10 b. an individual, by virtue of his or her race or sex, is
11 inherently racist, sexist, or oppressive, whether
12 consciously or unconsciously,

13 c. an individual should be discriminated against or
14 receive adverse treatment solely or partly because of
15 his or her race or sex,

16 d. members of one race or sex cannot and should not
17 attempt to treat others without respect to race or
18 sex,

19 e. an individual's moral character is necessarily
20 determined by his or her race or sex, and

21 f. an individual, by virtue of his or her race or sex,
22 bears responsibility for actions committed in the past
23 by other members of the same race or sex; and

1 2. "Institution of higher education" means institutions of
2 higher education within The Oklahoma State System of Higher
3 Education.

4 C. For purposes of approving or scheduling usage of an
5 institution of higher education's property, an institution of higher
6 education shall not show bias or favoritism:

7 1. Based upon a guest speaker's or a guest speaker's student-
8 sponsoring group's viewpoint, race, creed, color, religion,
9 nonviolent political ideology, or nonviolent political party
10 affiliation; or

11 2. For a student group that, or a guest speaker who, intends to
12 maintain a peaceful campus presence and peaceful use of the
13 institution of higher education's property because the institution
14 of higher education receives threatened simple breaches of the peace
15 or nondestructive disruptions from groups or individuals who oppose
16 the student group's or guest speaker's presence on campus.

17 D. An institution of higher education shall not:

18 1. Require a student group to pay fees or security deposits
19 that are not charged to all other student groups; or

20 2. Deny a student group access to the institution of higher
21 education's property, if the property is routinely used by other
22 student groups.

23 E. Notwithstanding the provisions of subsection C of this
24 section, an institution of higher education may restrict or deny use

1 of the institution of higher education's property for public
2 displays, organized public gatherings, or public demonstrations if
3 the display, gathering, or demonstration would violate Section 1021
4 of Title 21 of the Oklahoma Statutes.

5 F. 1. To assess the extent to which a divisive concept may
6 have been included or has otherwise affected curriculum, beginning
7 with the 2025-2026 academic year, each institution of higher
8 education shall publish a current syllabus for each course offered
9 in the current semester on the institution of higher education's
10 website no later than the seventh business day following the first
11 day of class for the semester.

12 2. Each syllabus published pursuant to paragraph 1 of this
13 subsection shall include, but not be limited to:

- 14 a. the title and catalog description of the course,
- 15 b. the course instructor's name,
- 16 c. the course's required or elective status for relevant
17 majors or general education,
- 18 d. a brief description of each assignment, examination,
19 lecture, discussion, or other class activity,
- 20 e. the title of each book that is assigned or recommended
21 for the course including any textbook or workbook, and
- 22 f. the final grades for the three (3) most recent
23 semesters during which the course was offered.

1 G. To assess the extent to which learning outcomes may have
2 been affected by the inclusion of a divisive concept in the student
3 learning experience, the Oklahoma State Regents for Higher Education
4 shall promulgate rules to require institutions of higher education
5 to submit data and information requested by the State Regents in a
6 standardized format to allow the State Regents to provide an online
7 organized data compilation that details the following:

8 1. The number of students who completed a program at the
9 institution of higher education for the three (3) most recent
10 academic years, disaggregated by underserved minority students; and

11 2. Results for students identified in paragraph 1 of this
12 subsection on nationally recognized assessments that assess a
13 student's readiness for postsecondary education, if available to the
14 institution of higher education, and such students' final grade
15 point average at the institution of higher education.

16 H. The Oklahoma State Regents for Higher Education shall
17 promulgate rules to implement the provisions of this section. The
18 rules shall:

19 1. Establish a process by which a student enrolled in or an
20 employee of an institution of higher education may submit a
21 complaint of an alleged violation of the provisions of this section
22 to the institution;

1 2. Require each institution of higher education that receives a
2 complaint pursuant to paragraph 1 of this subsection to investigate
3 the report;

4 3. Create a corrective action plan for an institution of higher
5 education that is found to have violated the provisions of this
6 section; and

7 4. Create a reporting requirement for complaints filed, the
8 findings of resulting investigations, and any corrective action
9 plans developed pursuant to this subsection.

10 SECTION 3. This act shall become effective July 1, 2025.

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

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