

STATE OF OKLAHOMA

1st Session of the 60th Legislature (2025)

HOUSE BILL 1075

By: Hildebrant

AS INTRODUCED

An Act relating to schools; amending 70 O.S. 2021, Section 6-101.25, as amended by Section 1, Chapter 5, O.S.L. 2024 (70 O.S. Supp. 2024, Section 6-101.25), which relates to recommendations for teacher dismissal; adding administrators and support employees to dismissal requirements; mandating forwarding of recommendations to Board of Education regardless of resignation status; requiring Board notification of resignations; allowing petition for expungement under certain circumstances; prescribing expungement conditions; granting Board discretion; allowing teachers, administrators, or support employees to provide supplementary information to the Board; 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 6-101.25, as amended by Section 1, Chapter 5, O.S.L. 2024 (70 O.S. Supp. 2024, Section 6-101.25), is amended to read as follows:

Section 6-101.25. A. Whenever a superintendent decides to recommend that a teacher, administrator, or support employee employed within the school district be dismissed or not reemployed, the superintendent shall state the recommendation in writing,

1 setting forth the basis for the recommendation, and shall submit
2 such recommendation to the board of education.

3 If the teacher subject to such recommendation is a career
4 teacher, the recommendation shall specify the statutory grounds for
5 which the recommendation is based.

6 If the teacher subject to such recommendation is a probationary
7 teacher, the recommendation shall specify the cause for which the
8 recommendation is based.

9 The superintendent shall also specify the underlying facts
10 supporting the recommendation.

11 B. 1. If the recommendation includes grounds that could form
12 the basis of criminal charges sufficient to result in the denial or
13 revocation of a certificate for a reason set forth in subparagraph a
14 of paragraph 6 of subsection A of Section 3-104 of this title, or if
15 the recommendation includes a reason set forth in subparagraph a of
16 paragraph 6 of subsection A of Section 3-104 of this title and is
17 based on an agreement between the teacher, administrator, or support
18 employee and school district to avoid civil litigation or a
19 settlement of a civil action unless the court orders the terms of
20 such settlement to be kept confidential, a copy of the
21 recommendation shall also be forwarded to the State Board of
22 Education ~~after the completion of due process procedures pursuant to~~
23 ~~Section 6-101.26 of this title or after the teacher resigns~~
24 regardless of whether the teacher, administrator, or support

1 employee resigns before or after a termination recommendation is
2 made, provided that the resignation occurs while under investigation
3 for conduct that could form the basis for criminal charges or
4 certificate revocation. A report of such resignation, including any
5 investigatory findings to date, shall be forwarded to the State
6 Board of Education. Failure to forward a copy of the recommendation
7 to the State Board of Education shall not be the basis for any claim
8 or action against a public school, its board of education,
9 employees, agents or other representatives. If the school district
10 forwards a copy of the recommendation to the State Board of
11 Education, the school district shall contemporaneously forward a
12 copy to the teacher, administrator, or support employee subject to
13 such recommendation. The teacher, administrator, or support
14 employee may provide supplementary information to the State Board of
15 Education.

16 2. If the investigation into the conduct of the teacher,
17 administrator, or support employee concludes without findings to
18 support criminal charges, certificate revocation, or termination,
19 the individual shall have the right to petition for the expungement
20 of the report from State Board of Education records and written
21 notification of the clearance to all affected parties. Expungement
22 may only occur upon sufficient evidence of no wrongdoing and at the
23 discretion of the State Board of Education.
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1 C. Only school districts may request a copy of the
2 recommendation from the State Board of Education, and only if a
3 teacher, administrator, or support employee is being considered for
4 new employment or a teacher, administrator, or support employee is
5 currently employed by the requesting school district. The State
6 Board of Education shall notify the teacher, administrator, or
7 support employee subject to the recommendation if such a request is
8 made and provide the identity of the school district that made such
9 request. The teacher, administrator, or support employee subject to
10 the recommendation shall retain the right to provide supplementary
11 information to the State Board of Education to accompany any
12 documents requested. The State Board of Education shall provide the
13 requesting school district documents related to the recommendation
14 as well as any supplementary information provided by the teacher,
15 administrator, or support employee subject to the recommendation,
16 and copies shall be contemporaneously forwarded to the teacher,
17 administrator, or support employee subject to the recommendation.
18 Records provided to a requesting school district pursuant to this
19 subsection shall be kept confidential.

20 D. Except as provided for in subsection C of this section, the
21 State Board of Education shall keep recommendations submitted
22 pursuant to subsection B of this section confidential. Records
23 created pursuant to this section shall not be subject to disclosure
24 under the Oklahoma Open Records Act.

1 E. If the State Board of Education or a school district that
2 generated or received documents pursuant to subsection C of this
3 section is served a subpoena requesting disclosure of the documents,
4 the teacher, administrator, or support employee subject to the
5 recommendation shall immediately be notified and be provided the
6 opportunity to object to the subpoena.

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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