

An Act

ENROLLED HOUSE
BILL NO. 1075

By: Hildebrant, Caldwell
(Chad), and Staires of the
House

and

Seifried of the Senate

An Act relating to teachers; 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 dismissal of teachers; making certain provisions applicable to administrators; requiring certain recommendations to be forwarded to the State Board of Education regardless of the timing of certain resignation; requiring certain report to be forwarded to the Board; providing for expungement of certain report under certain circumstances; allowing certain teacher or administrator to retain the right to provide certain supplementary information; providing an effective date; and declaring an emergency.

SUBJECT: Teachers

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 or administrator employed within the school district be dismissed or not reemployed, the superintendent shall state the recommendation in writing, setting forth the basis for the recommendation, and shall submit such recommendation to the board of education.

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

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

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

B. 1. If the recommendation includes grounds that could form the basis of criminal charges sufficient to result in the denial or revocation of a certificate for a reason set forth in subparagraph a of paragraph 6 of subsection A of Section 3-104 of this title, or if the recommendation includes a reason set forth in subparagraph a of paragraph 6 of subsection A of Section 3-104 of this title and is based on an agreement between the teacher or administrator and school district to avoid civil litigation or a settlement of a civil action unless the court orders the terms of such settlement to be kept confidential, a copy of the recommendation shall also be forwarded to the State Board of Education ~~after the completion of~~ when the recommendation is made pursuant to the due process procedures pursuant to provided for in Section 6-101.26 of this title or after the teacher resigns, regardless of whether the teacher or administrator resigns before or after a termination recommendation is made, provided that the resignation occurs while the teacher or administrator is under investigation for conduct that could form the basis for criminal charges or certificate revocation. A report of such resignation including any investigatory findings to date shall be forwarded to the State Board of Education. Failure to forward a copy of the recommendation to the State Board of Education shall not be the basis for any claim or action against a public school, its board of education, employees, agents, or other representatives. If the school district forwards a copy of the recommendation to the State Board of Education, the school district shall contemporaneously forward a copy to the teacher or administrator subject to such recommendation. The teacher or administrator may provide supplementary information to the State Board of Education.

2. If the investigation into the conduct of the teacher or administrator concludes without findings to support criminal charges, certificate revocation, or termination, the individual's report shall be expunged from State Board of Education records and

written notification of the clearance shall be sent to all affected parties.

C. Only school districts may request a copy of the recommendation from the State Board of Education, and only if a teacher or administrator is being considered for new employment or a teacher or administrator is currently employed by the requesting school district. The State Board of Education shall notify the teacher or administrator subject to the recommendation if such a request is made and provide the identity of the school district that made such request. The teacher or administrator subject to the recommendation shall retain the right to provide supplementary information to the State Board of Education to accompany any documents requested. The State Board of Education shall provide the requesting school district documents related to the recommendation as well as any supplementary information provided by the teacher or administrator subject to the recommendation, and copies shall be contemporaneously forwarded to the teacher or administrator subject to the recommendation. Records provided to a requesting school district pursuant to this subsection shall be kept confidential.

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

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

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

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