

1 ENGROSSED SENATE AMENDMENT
TO

2 ENGROSSED HOUSE
3 BILL NO. 1425

By: Vancuren of the House

and

Stanley of the Senate

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5
6
7 An Act relating to schools; amending 70 O.S. 2021,
8 Section 6-101.6b, which relates to whistleblower
9 protections; defining term; extending applicability
10 of protections to support employees; updating
11 statutory citation; providing an effective date; and
12 declaring an emergency.

13 AUTHOR: Add the following House Coauthor: Pittman

14 AUTHOR: Remove as principal Senate author Stanley and substitute as
15 principal Senate author Rader. Retain Stanley as Senate
16 coauthor

17 AUTHOR: Add the following Senate Coauthor: Bullard

18 AMENDMENT NO. 1. Page 1, strike the title, enacting clause and
19 entire bill and insert

20 "An Act relating to schools; defining term; directing
21 each school district board of education to adopt
22 certain policy excusing a student to attend certain
23 course; providing requirements for student to attend
24 certain course; providing certain immunity from
liability; exempting instructors of certain course
from licensure or certification; directing students
to be considered in attendance with a school district
while attending certain course; providing for the
award of elective credit for completion of certain
course; providing for evaluation of certain course;
providing exemption for certain charter schools and
virtual charter schools; providing for codification;

1 providing an effective date; and declaring an
2 emergency.

3
4 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

5 SECTION 1. NEW LAW A new section of law to be codified
6 in the Oklahoma Statutes as Section 11-101.3 of Title 70, unless
7 there is created a duplication in numbering, reads as follows:

8 A. As used in this section, "released time course" means a
9 period of time during which a student is excused from school to
10 attend a course in religious or moral instruction taught by an
11 independent entity off school property.

12 B. Each school district board of education shall adopt a policy
13 that excuses a student from school to attend a released time course
14 for no more than three class periods per week or a maximum of one
15 hundred twenty-five class periods per school year; provided, that:

16 1. The student's parent or legal guardian provides written
17 consent prior to the student's participation in the released time
18 course;

19 2. No school district funds other than de minimis
20 administrative costs are expended and no school district personnel,
21 equipment, or resources are involved in providing the instruction;

22 3. The independent entity maintains attendance records and
23 makes them available to the school district and its board of
24 education;

1 4. Any transportation provided to and from the place of
2 instruction is the sole responsibility of the independent entity,
3 the student, or the student's parent or legal guardian;

4 5. The independent entity or the student's parent or legal
5 guardian indemnifies the school district and holds it harmless with
6 regard to any liability arising from conduct that does not occur on
7 school property under the control or supervision of the school
8 district, and the independent entity maintains adequate insurance
9 for that purpose;

10 6. The student assumes responsibility for any missed school
11 work; and

12 7. The school district superintendent, the principal for the
13 school site in which the student is enrolled, or their designees
14 have reasonable discretion over the scheduling and timing of
15 released time courses; provided, the student may not be excused to
16 participate in a released time course during any class in which the
17 subject matter being taught is subject to the assessment
18 requirements of Section 1210.508 of Title 70 of the Oklahoma
19 Statutes.

20 C. The school district, its board of education, and the state
21 shall not be liable for the student who participates in a released
22 time course when the student is not under the control or supervision
23 of the school district.

24

1 D. Instructors hired by an independent entity to provide a
2 released time course shall not be required to be licensed or
3 certified teachers.

4 E. A student who attends a released time course shall be
5 considered in attendance in the school district, and the time shall
6 be calculated as part of the school day.

7 F. A school district board of education shall award a student
8 credit for work completed in a released time course that is
9 substantiated by a transcript from the independent entity providing
10 the course. A student shall be awarded elective credit for the
11 completion of each released time course. To determine whether
12 elective credit may be awarded as provided for in this subsection,
13 the board of education shall evaluate the course in a neutral and
14 secular manner that does not involve any test for religious content
15 or denominational affiliation. For purposes of this subsection, the
16 secular criteria used to evaluate a released time course may
17 include:

- 18 1. The amount of classroom instruction time;
- 19 2. The course syllabus, which reflects the course requirements
20 and any materials used in the course;
- 21 3. Methods of assessment used in the course; and
- 22 4. The qualifications of the course instructor.

23 G. The provisions of this section shall not apply to charter
24 schools established pursuant to Section 3-132 of Title 70 of the

1 Oklahoma Statutes or charter schools or virtual charter schools
2 established pursuant to Section 3-134 of Title 70 of the Oklahoma
3 Statutes.

4 SECTION 2. This act shall become effective July 1, 2024.

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

9 Passed the Senate the 16th day of April, 2024.

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11 _____
12 Presiding Officer of the Senate

13 Passed the House of Representatives the ____ day of _____,
14 2024.

15
16 _____
17 Presiding Officer of the House
18 of Representatives

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6 An Act relating to schools; amending 70 O.S. 2021,
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8 protections; defining term; extending applicability
9 of protections to support employees; updating
10 statutory citation; providing an effective date; and
11 declaring an emergency.

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

13 SECTION 4. AMENDATORY 70 O.S. 2021, Section 6-101.6b, is
14 amended to read as follows:

15 Section 6-101.6b A. For purposes of this section, "teacher":

16 1. "Teacher" means the term as defined in paragraph 1 of
17 Section 1-116 of ~~Title 70 of the Oklahoma Statutes~~ this title; and

18 2. "Support employee" means the term as defined in paragraph 8
19 of Section 1-116 of this title.

20 B. No school district shall prohibit or take disciplinary
21 action against teachers or support employees for:

22 1. Disclosing public information to correct what the teacher or
23 support employee reasonably believes evidences a violation of the
24 Oklahoma Constitution or law or a rule promulgated pursuant to law;

1 2. Reporting a violation of the Oklahoma Constitution or state
2 or federal law; or

3 3. Taking any of the above actions without giving prior notice
4 to the teacher's or support employee's supervisor or anyone else in
5 the ~~teacher's~~ relevant chain of command.

6 C. For the purposes of this section, "reporting" means
7 providing a spoken or written account to a supervising teacher,
8 administrator, school board member, representative from the State
9 Department of Education, law enforcement official, district
10 attorney, and/or parent or legal guardian of a student directly
11 impacted by the actions.

12 D. Each school district shall prominently post or publish a
13 copy of this section of law in locations where it can reasonably be
14 expected to come to the attention of all teachers and support
15 employees.

16 E. Nothing in this section shall be construed to allow a
17 teacher or support employee to violate students' or parents' rights
18 to confidentiality and protection under the Family Educational
19 Rights and Privacy Act of 1974 (FERPA).

20 SECTION 5. This act shall become effective July 1, 2023.

21 SECTION 6. It being immediately necessary for the preservation
22 of the public peace, health or safety, an emergency is hereby
23 declared to exist, by reason whereof this act shall take effect and
24 be in full force from and after its passage and approval.

1 Passed the House of Representatives the 6th day of March, 2023.

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3 _____
4 Presiding Officer of the House
of Representatives

5 Passed the Senate the ____ day of _____, 2023.

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8 _____
9 Presiding Officer of the Senate